

APPENDIX E

TEXT OF SELECTED REGULATIONS AS OF JULY 1, 1998

DISCLAIMER: THE REGULATIONS IN THIS APPENDIX WERE PROVIDED TO SERVE AS A HANDY REFERENCE FOR THE USERS OF THE SAFE SCHOOLS MANUAL. ONLY THE PARTS OF THE REGULATIONS THAT ARE RELEVANT TO VOCATIONAL EDUCATION ARE INCLUDED. (SOME OF THE PARTS THAT HAVE BEEN OMITTED ARE INDICATED WITH "....") NEITHER THE NEW JERSEY DEPARTMENT OF EDUCATION NOR THE ENVIRONMENTAL AND OCCUPATIONAL HEALTH SCIENCES INSTITUTE ARE RESPONSIBLE FOR ERRORS OR OMISSIONS. CONSULT AN OFFICIAL COPY FOR THE COMPLETE REGULATION. ORDERING INSTRUCTIONS FOR SOME OF THE REGULATIONS ARE INCLUDED IN APPENDIX A: RESOURCES.

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N.J.S.A. 18:16-6.6

**NEW JERSEY STATUTES ANNOTATED - 18A:16-6
INDEMNITY OF OFFICERS
AND EMPLOYEES AGAINST CIVIL ACTIONS**

Whenever any civil action has been or shall be brought against any person holding any office, position or employment under the jurisdiction of any board of education, including any student teacher or person assigned to other professional pre-teaching field experience, for any act or omission arising out of and in the course of the performance of the duties of such office, position, employment or student teaching or other assignment to professional field experience, the board shall defray all costs of defending such action, including reasonable counsel fees and expenses, together with costs of appeal, if any, and shall save harmless and protect such person from any financial loss resulting therefrom; and said board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

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N.J.S.A. 18:16-6.1

**NEW JERSEY STATUTES ANNOTATED - 18A:16-6.1
INDEMNITY OF OFFICERS
AND EMPLOYEES IN CERTAIN CRIMINAL ACTIONS**

Should any criminal action be instituted against any such person for any such act or omission and should such proceeding be dismissed or result in a final disposition in favor of such person, the board of education shall reimburse him for the cost of defending such proceeding, including reasonable counsel fees and expenses of the original hearing or trial and all appeals.

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**TITLE 6 - NEW JERSEY DEPARTMENT OF EDUCATION (NJDOE)
CHAPTER 3 - SCHOOL DISTRICTS
SUBCHAPTER 1 - GENERAL PROVISIONS
SECTION 14 - EYE PROTECTION IN PUBLIC SCHOOLS**

6:3-1.14 Eye protection in public schools

This section was recodified as:

**TITLE 6 - NEW JERSEY DEPARTMENT OF EDUCATION (NJDOE)
CHAPTER 29 - HEALTH, SAFETY AND PHYSICAL EDUCATION
SUBCHAPTER 1 - GENERAL PROVISIONS
SECTION 7 - EYE PROTECTION IN PUBLIC SCHOOLS**

Please go to page 28 of this Appendix for 6:29-1.7

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**CHAPTER 8 - THOROUGH AND EFFICIENT SYSTEM
OF FREE PUBLIC SCHOOLS**

**SUBCHAPTER 4. PROCEDURES FOR THE EVALUATION OF THE
PERFORMANCE OF EACH PUBLIC SCHOOL DISTRICT**

6:8-4.5 Curriculum and instruction

(a) The curriculum and instruction element shall be rated acceptable upon demonstration of performance in the following four indicators:

1. Written curriculum:

i. By September 30 of each year, the chief school administrator shall verify that there are board-approved, written curricula for all pupils including the following programs and services:

(1)

(2)

(3)

(4)

(5)

(5) Health, safety and physical education (N.J.S.A. 18A:35-5, 7, 8);

(6) Accident and fire prevention (N.J.S.A. 18A:6-2); and

(7)

ii.

iii.

2.

3.

4.

6:8-4.9 School resources: finance and facilities

(a) The school resources: finance and facilities element shall be rated acceptable upon demonstration of performance in the following eight indicators:

1.

2.

3.

4.

5.

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6. Health and safety:
 - i. The district shall comply annually with health and safety requirements pursuant to regulation, including, but not limited to, N.J.A.C. 6:22 and 6:53.
 - ii. The documentation/activities shall be:
 - (1) The New Jersey Department of Education checklist for the evaluation of school buildings and
 - (2) School visits;
7. Comprehensive maintenance plan:
 - i. The district board of education shall develop and implement a multi-year (three to five years) comprehensive maintenance plan. The comprehensive maintenance plan shall be both corrective and preventative, including the interior and exterior conditions of each school building and grounds. The plan shall address each of the major systems and areas of: heating/ventilating/air conditioning, mechanical, plumbing, electrical, structural and grounds.
 - ii. The documentation/activities shall be:
 - (1) The district's comprehensive maintenance plan;
 - (2) Implementation records;
 - (3) The current and prior years' budget;
 - (4) The annual audit;
 - (5) Board minutes;
 - (6) School visits; and
 - (7) Staff interviews; and
8.

**TITLE 6 - NEW JERSEY DEPARTMENT OF EDUCATION (NJDOE)
CHAPTER 22 - SCHOOL FACILITY PLANNING SERVICE**

**SUBCHAPTER 1. APPROVAL OF PLANS AND SPECIFICATIONS BY THE
DEPARTMENT OF EDUCATION, BUREAU OF FACILITY
PLANNING SERVICES**

**6:22-1.1 Types of building construction work requiring Department of Education
review**

(a) Types of building construction work requiring a review by the Department of Education are as follows:

1. New school buildings including pre-fabricated facilities;
2. An addition to an existing school building;
3. A change involving the total number of instructional spaces or the number of any one kind of instructional space;
4. A change in the dimensions (volume and/or area) of any instructional space;
5. A change of use as defined in N.J.A.C. 6:22-5.2;
6. The utilization of pre-manufactured trailers and vans; and
7. Any site or school building change or alteration for the purpose of making the site and school barrier free and accessible to handicapped persons as per N.J.A.C. 5:23 and Section 504 of the Federal Rehabilitation Act of 1973.

(b) Other construction projects that do not require a review for educational adequacy shall be submitted to the local municipal construction enforcing agency in accordance with N.J.A.C. 5:23-2.

6:22-1.2 Educational specifications for building construction or modifications

6:22-1.3 Architectural plans and specifications; general

6:22-1.4 Submission of schematic plans prior to local funding

**6:22-1.5 Submission of preliminary plans following local funding
authorization**

6:22-1.6 Submission of final plans

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6:22-1.7 Bids, construction permits and variances

SUBCHAPTER 2. ACQUISITION AND DISPOSAL OF LAND

SUBCHAPTER 3. ACQUISITION OF EXISTING BUILDINGS AND CLOSINGS

SUBCHAPTER 4. APPROVAL OF PRIVATE SCHOOLS FOR HANDICAPPED PUPILS AND SCHOOLS FOR HANDICAPPED PUPILS OF NEW JERSEY DEPARTMENT OF HUMAN SERVICES

SUBCHAPTER 5. APPLICATION OF THE UNIFORM CONSTRUCTION CODE

6:22-5.1 Model code adoption

(a) The State Board of Education hereby confirms that public school construction shall be done in accordance with the State Uniform Construction Code, hereafter referred to as the U.C.C.

1. This document is available for review at the Offices of the Bureau of Facility Planning Services, Department of Education or at the Office of Administrative Law, Trenton, New Jersey.

2. This document may be purchased from the New Jersey Department of Community Affairs, Trenton, New Jersey.

6:22-5.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Academic classroom" means an instructional space approved for use for general instructional purposes. This term differentiates the space from specialized instructional uses such as science labs and shops.

"Built-in equipment" means equipment that is constructed into the building and not easily removed from its location at the time of construction or added later.

"Change-of-use" means any change from the approved educational use or educational function of a space wherein the new use would by the U.C.C. and this chapter require physical, mechanical or electrical changes. Some examples of a change-of-use are: classroom to laboratory or other specialized activity space, or storage room to classroom.

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"Core facilities" means those spaces in a school building which serve directly or indirectly all or most of the students on a regular basis, such as library/media center, auditorium, gymnasium, cafeteria or administrative offices.

"Department" means the New Jersey Department of Education, Bureau of Facility Planning Services.

"Greenhouse" means an instructional space or non-instructional space which is used primarily for the growth and/or storage of plants.

"Instructional spaces or areas" means any space which is designed and approved for instructional use.

"Multi-purpose" means any space that has been approved for more than one non-simultaneous use, including instructional use.

"Non-portable motorized equipment" means motorized equipment that is stationary equipment.

"Open space" means any portion of a building up to 30,000 square feet, other than a gymnasium, auditorium or cafeteria, designed for multiple teaching which may be subdivided into smaller areas by use of partial partitions, moveable partitions or moveable furniture and does not have defined permanent corridors.

"Portable or moveable equipment" means any equipment not secured to the building such as free-standing display cases and moveable furniture.

"Pre-manufactured, modular classroom" means a unit which is manufactured in modular sections or in pre-cut and pre-sized components which are assembled on a school site. It is designed to be a permanent facility, and is set upon a permanent foundation.

"School capacity formula" means the computational formula used in computing the capacity of a school building to derive the capacity for the building as per N.J.A.C. 6:22-5.5(a)i and ii.

"Trailers and vans" means pre-manufactured modular units which are designed to be used at more than one location during the life of the facility. Wheels and axles are a part of the unit, and the unit shall not be set upon a permanent foundation.

6:22-5.3 Enhancements to Uniform Construction Code (U.C.C.)

(a) Under the authority granted to it in P.L.1983, c.496, the State Board of Education hereby adopts the following enhancements to the Uniform Construction Code (U.C.C.):

1. All doors equipped with latching devices in buildings of use group E or portions of buildings used for assembly for educational purposes and which serve rooms or spaces with an occupant load greater than 50 shall be equipped with approved panic hardware.

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2. Guardrails along stair runs and landings shall be at 42 inches above the tread nosing without exception.

3. No fuel fired heating appliances intended to supply domestic hot water or hot water/steam/air for space heating shall be located in any occupied space except for industrial arts and vocational shops and laboratories.

4. An electric solenoid key-operated gas shut-off switch shall be installed in all gas supply lines to all instructional rooms, laboratories, shops or other spaces where gas is used by students.

5. An automatic fire detection system shall be installed in all new buildings, and additions or renovations to existing buildings, in accordance with applicable National Fire Protection Association standards in effect on the date of plan submission. the system shall utilize:

i. Combination fixed-temperature and Rate of Rise device in all enclosed classrooms and other spaces not covered in (a)5ii below;

ii. Devices to detect abnormal visible smoke densities or gaseous products of combustion are required in corridors and exit stairs;

iii. An automatic fire suppression system and, in areas where suppression is deleted, automatic detection devices; or

iv. A combination of the above three types of detection devices except that a fixed-temperature detector shall be permitted in approved locations, such as a boiler or incinerator room.

6. Manual fire alarms, in addition to BOCA requirements as amended, shall be provided in the natural path of escape from fire, near each exterior door from the corridor, kitchen, heater room and other exterior door from the corridor, kitchen, heater room and other exterior exits that are required to serve 50 or more persons. Additional manual fire alarms shall be located in the main office, stage, at each stairway entrance from a corridor or place of assembly and at all required exterior exits in each section of a place of assembly. It shall not be necessary to traverse more than 200 feet of unobstructed horizontal distance on the same floor in order to reach a fire alarm.

7. Each instructional space and room of assembly which is illuminated with the use of high intensity discharge (HID) sources, such as mercury vapor, high pressure sodium and metal halide lamps, shall also be provided with a second source of illumination to provide illumination instantly upon activation of the circuit. All high intensity discharge (HID) lamps shall be of the fail-safe type which will permanently extinguish within two minutes after the outer glass of the bulb is broken. All fixtures including fluorescents shall be provided with a glass or plastic lens to protect the lamp.

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8. All school buildings shall be equipped with a mechanical air supply and exhaust ventilation system which will provide, during periods of occupancy, standard tempered outdoor air supply and mechanical exhaust at the minimum rates set forth in the BOCA Basic National Mechanical Code in effect on the date of plan submission.

6:22-5.4 Educational facility planning standards

(a) The educational facility planning standards delineated in (b) through (h) below shall, in conjunction with the Uniform Construction Code, form the requirements for the design and construction of public schools.

(b) General design and construction requirements are as follows:

1. School buildings shall afford accommodations for general, class and laboratory work, health and physical education, guidance and counseling, administration, and health services, the suitability of which shall be pursuant to the requirements of this section. In addition, when the curriculum requires it, school buildings shall afford accommodations for library services; industrial, vocational and homemaking instruction; food services; art and music education; and all other school services generally recognized in the approval of a school.

2. Instructional rooms with windows shall have no exterior obstructing wall within 20 feet of the major window wall.

3. Inner courts shall have a minimum width of 20 feet.

4. Concrete floors in all instructional areas, except shops, shall be covered with a resilient floor covering.

5. Power tools and machines in shops which generate dust shall be provided with dust collecting equipment. Such equipment shall be either single or multi-use vacuum packs or a central dust collection system. Installed systems shall comply with the National Fire Protection Association Standards, and New Jersey Department of Environmental Protection rules (N.J.A.C. 7:27-81).

6. The ceiling height of an academic classroom or other instructional space containing more than 300 square feet in area shall average nine feet six inches and no part of the ceiling or other obstruction shall be lower than eight feet. Instructional spaces of less than 300 square feet and areas of larger spaces devoted to clothing alcoves, storage or work space may have ceilings eight feet in height.

7. Heights of the ceiling or other obstruction in other areas shall provide a minimum clearance as listed below:

Gymnasium	22 feet
Auxiliary Gymnasium	14 feet

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Weight Room	12 feet
Music Room (Vocal and/or Instrumental)	12 feet
or eight feet from the highest riser to the ceiling but in no case less than nine feet six inches	
Multipurpose Room	18 feet
Cafeteria	12 feet
Industrial Arts and Vocational Shop	12 to 15 feet
Library/Media Center	9 1/2 feet

8. Public School corridors shall have a minimum ceiling height of eight feet.
9. A health unit shall be provided and shall include a nurse's area, waiting area, an examination area, a rest area with privacy, drinking water and toilet facilities sized and arranged so that physically handicapped persons requiring assistance will be able to receive such aid.
10. Instructional greenhouses shall meet the following standards in addition to the U.C.C. standards and requirements of the Fire Prevention Code:
 - i. All doors shall be a minimum of three feet wide;
 - ii. Drinking fountains shall not be located inside greenhouses;
 - iii. Greenhouses may be either attached to a school building or located no less than 20 feet from the school building;
 - iv. The storage of pesticides shall be in a locked metal cabinet and vented to the exterior.
11. Wherever chemicals are stored or used, an eyewash fountain or similar device, capable of providing a 15 minute continuous water flow, shall be provided.
 - i. Eyewash devices shall also be provided as per N.J.A.C. 6:3-1.14
12. The minimum dimension of the room shall be 10 feet;
- (c) Exit requirements are as follows:
 1. Minimum clear widths for primary corridors in elementary schools, grades kindergarten through eight, shall be:
 - i. Seven feet, wall to wall without lockers or wardrobes;
 - ii. Eight feet, wall to locker face with lockers or wardrobes on one side;
 - iii. Nine feet six inches, locker face to locker face with lockers or wardrobes on both sides;
 2. Minimum clear widths at any point in secondary schools, grades seven through 12, shall be:
 - i. Seven feet six inches, wall to wall without lockers;

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- ii. Eight feet six inches, wall to locker face with lockers or wardrobes on one side;
- iii. Ten feet, locker face to locker face with lockers or wardrobes on both sides.
- 3. Minimum clear widths for secondary corridors serving 50 or less occupants shall be five feet.
- 4. Doors from all spaces used by students and school staff, excluding lavatories, storage rooms, janitors' closets, instructional spaces under 300 gross square feet, and locker rooms, shall swing into the corridor and shall have a safety vision panel of 1/4 inch glazing which is not less than 100 square inches.
 - (d) The environment requirement is as follows:
 - 1. Windowless classrooms and other occupied instructional spaces (excluding gymnasiums, auditoriums and cafeterias) which do not have operable windows equal to at least four percent of the floor space shall be air conditioned.
 - (e) Safety requirements are as follows:
 - 1. Glazing in fire-rated assemblies shall be in accordance with BOCA. All other interior glazing shall be safety glazing.
 - 2. A check valve shall be installed in the line supplying gas to each classroom, laboratory, shop or the area where gas is used by students, except home economics rooms.
 - 3. The sleeve of gas supply lines shall extend at least four inches outside and be vented above grade. Vent pipes shall terminate outside the building at a point not less than two feet measured vertically or horizontally from any window or other building opening. The outer end of vent pipes shall terminate in a weatherproof and securely fastened vent cap. Vent pipes shall terminate sufficiently above the ground to avoid being obstructed with snow and shall be secured firmly to the building. The entire installation shall be such that the gas piping can be readily replaced without damage to the building. Vents in courts shall extend at least five feet above the roof.
 - 4. Science rooms, laboratories, shops and other instructional spaces, with the exception of home economic rooms, in which an open flame and/or the use of hazardous chemicals occurs shall be equipped with an emergency safety cold-water shower and a floor drain or a self-contained water receptacle or catch basin.
 - 5. Materials provided at the base of play ground equipment shall be of soft composition such as sand or synthetic composition materials in order to prevent injuries.
 - 6. When provided, ceiling paddle fans shall be a maximum of 18 inches from the ceiling or a minimum of eight feet above the floor and be enclosed with a metal guard.
- (f) Electrical requirements are as follows:

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1. Push-type emergency cut-out switches shall be provided at appropriate locations within shops to de-energize the electrical supply to non-portable machinery and shall have a clear unobstructed access of a minimum of 36 inches. These switches shall be provided on the basis of one for each 1,000 square feet or fraction thereof of floor area in the shop, but in no case less than two. Reset of the interrupted service shall be by a key-operated switch located within the shop. The cut-off and reset circuits shall be designed and installed to negate the possibility of the control circuit being de-energized, thereby being inoperative.

2. All non-portable motorized equipment and machinery shall be provided with magnetic-type switches to prevent machines from automatically restarting upon restoration of power after an electrical failure or activation of the above emergency cut-off.

3. Instructional spaces shall be provided with sufficient outlets to satisfy the program need with not less than two duplex outlets remotely located.

4. Large group areas such as assembly rooms, auditoriums and other large group instructional spaces shall be provided with convenience outlets at the location of portable projectors and built-in speaker cables at the above location as well as stage and platform areas.

5. All 125 volt, single-phase, 15 and 20 amp receptacles, when installed outdoors where there is direct grade level access, shall have ground-fault circuit interrupter protection. This shall apply, but is not limited to, all outlets on the exterior of buildings, athletic and playing fields, track areas, picnic areas, tennis courts and other similar areas.

6. All 125 volt, single-phase, 15 and 20 amp receptacles, when installed within a six foot radius of sinks, shall have ground-fault circuit interrupter protection. This shall apply, but not be limited to, classrooms, home economics laboratories, art rooms, science laboratories, vocational education shops, industrial arts shops, photography wet areas, lavatories, shower rooms and other wet areas.

(g) Lighting requirements are as follows:

1. Installed artificial lighting intensity shall comply with the following minimum footcandles which shall be maintained on the task at any time:

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INSTALLED LIGHTING INTENSITY

Locations	Minimum Acceptable Footcandles
Classrooms and instructional areas-- study halls, lecture rooms, art rooms, offices, libraries, conference rooms, work rooms, shops, laboratories and secondary school cafeterias	50
Drafting, typing and sewing rooms	70
Reception rooms, gymnasiums, auditoriums, school cafeterias, all-purpose rooms and swimming pools	30
Locker rooms, washrooms, toilet rooms, corridors containing lockers, stairways	10
Corridors without lockers and storerooms	5
Classrooms for the partially sighted	70

(h) Plumbing requirements are as follows:

1. The number of plumbing fixtures and ventilation requirements, capacity of a school building and the student capacity of each instructional space and core facility within a school building shall be in conformance with the provisions of this chapter and be calculated according to N.J.A.C. 6:22-5.5(a)i and ii.

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7.

8. Flooring materials, except for use in showers, of ceramic tile, quarry tile, sheet vinyl and plastic coatings designed for this purpose shall be deemed to meet the requirements of this subchapter. Resilient tiles or exposed concrete are not acceptable in toilet rooms.

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9. Where showers are provided, benches shall be 30 inches apart, one shower head for each 10 students, with a shower head height of six feet, and shall provide 12 square feet per shower head.

10. Prekindergarten and kindergarten classrooms shall be equipped with a drinking water facility.

11. Arts and crafts classrooms shall be equipped with a water source, sink and appropriate sink trap.

(i) Pre-manufactured educational units, vans, trailers and/or other mobile units shall comply with the following:

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4.
5.
6.
7.

(j) All buildings and structures and parts thereof, both existing and new, shall be maintained in a safe, sanitary and energy-efficient condition. All service equipment, means of egress, devices and safeguards which are required by the State Uniform construction Code in a building or structure or which were required by a previous statute for a building or structure, when erected, altered or repaired, shall be maintained in good working order.

6:22-5.5 School space sizes and capacity

(a) The following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise.

"Capacity" of a school building means:

i. The sum of the capacities of each instructional space which is calculated by subtracting the square feet for program activity, furniture and equipment, both built-in and moveable, storage and any other activity or item to be housed from the gross square footage to determine the net square feet per space and dividing that number by the net square feet per occupant as required in (b) below; plus

ii. The sum of the capacities of each instructional space which is calculated by dividing the gross square feet by the gross square feet per occupant as required in (b) below.

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"Departmentalized elementary school" means a school in which any combination of grades is organized according to a departmentalized structure pursuant to N.J.A.C. 6:3-1.10(1)16 with students moving from teacher to teacher during the day.

"Minimum gross area in square feet" means the least amount of square feet required for a space in a school.

"Minimum square feet per pupil" means the least amount of square feet required for each pupil to be housed in a space in a school.

"Non-departmentalized elementary school" means a school that contains any combination of grades in kindergarten through eight in which pupils spend the majority of instructional time with one teacher.

"Pupil station" means the gross area in square feet required for one pupil.

(b) The minimum square feet for each instructional space shall be determined by the net and gross square feet values shown below together with the definitions of net and gross square feet presented in (c) below. The capacity of a school building shall be calculated according to definitions in (a) above.

Area	Minimum Required Floor Area in Square Feet per Occupant
Classrooms, including early intervention, pre-kindergarten, kindergarten	20 net
Classrooms (students with physical mobility problems, for example, wheelchair)	25 net
Science laboratories	20 net
Shops and laboratories for industrial arts and vocational education	50 net
Small group instruction, including music practice	20 net
Conference rooms	15 net
Auditorium, excluding stage	7 net
Cafeteria and faculty dining Food service	15 net
Assembly, unfixed seats	7 net

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Gymnasium (all school types)	
Spectator area	3 net
Physical education-athletics, with spectator area in gymnasium	100 net
Physical education-athletics with no spectator area	125 net
Assembly, unfixed seats	7 net
Auxiliary gymnasium and/or weight room (20 student capacity base)	40 net
Locker room	20 net
Multi-purpose Room	
Spectator area	3 net
Physical education-athletics	80 net
Food service	12 net
Assembly, unfixed seats	7 net
Library Media Center	
Reading room	50 net
Seminar--small group	20 net
Stacks (.25 x reading room capacity--elementary)	100 gross
(.33 x reading room capacity--middle, junior/ senior high school)	
Other support spaces	20 net
Health Center	
Cot area	30 net
Examination room	20 net
Offices	60 net, first occupant;
.	15 net additional occupants

(c) Instructional and non-instructional spaces for which a maximum floor area per occupant is not delineated in (b) above shall be provided with sufficient square feet to accommodate their functions and are subject to approval by the Bureau of Facility Planning Services.

(d) A net square feet per occupant figure is one which establishes the square feet for safety and exit facilities. The gross area in square feet per space is the capacity (highest number of occupants) multiplied by the net square feet per occupant, for activity areas, furniture and equipment (both built-in and moveable), storage and any other activity or item to be housed.

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(e) A gross square feet per occupant is one which establishes the required area in square feet for a defined purpose. The gross area in square feet required per space is the capacity (highest number of occupants) multiplied by the gross square feet per occupant.

(f) Spaces occupied but not previously approved prior to May 7, 1990, in order to be approved for capacity, must meet the following requirements;

1. Special education classrooms in private schools for the handicapped and in schools for the handicapped operated by the Department of Human Services shall be either a minimum of 40 square feet gross per student, as previously set forth in the Department of Education School Capacity Bulletin, or 20 net square feet per student as set forth in N.J.A.C. 6:22-5.5(b); and

2. Spaces, other than special education classrooms in private schools for the handicapped and in schools for the handicapped operated by the Department of Human Services shall be either the square foot amounts previously set forth in the Department of Education's School Capacity Bulletin or meet the standards set forth in N.J.A.C. 6:22-5.5(b).

SUBCHAPTER 6. SUBSTANDARD SCHOOL FACILITIES

6:22-6.1 Emergency provisions for accommodation of school pupils in substandard school facilities

(a) Substandard facilities shall be defined as:

1. All on-site facilities which have never received:
 - i. Approval of the State Board of Education as having met the requirements of this chapter, the rules in effect at the time the facilities were constructed, or the requirements of N.J.A.C. 5:23; or
 - ii. Approval of the local municipal construction official and subcode officials as having met the State Uniform Construction Code which was in effect at the time the facilities were constructed or altered;

2. All off-site facilities being provided by district boards of education or approved private schools for the handicapped for use by public school pupils;

3. All facilities not planned and constructed as school buildings which are rented or leased from private owners by district boards of education or approved private schools for the handicapped for use as school buildings by public school pupils.

(b) All substandard educational facilities shall be initially approved by the county superintendent of schools in which the district board of education or approved private school for the handicapped is situated, such approval to be given for a maximum period of two years. No substandard educational facility, however, shall be approved for more

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than two consecutive years unless inspected by the Bureau of Facility Planning Services, Department of Education to ensure that:

1. The facilities meet health, safety and educational adequacy standards for temporary, substandard facilities, as specified in this chapter;
2. The utilization of the facilities is temporary; and
3. A plan has been developed by the district board of education or approved private school for the handicapped and approved by the county superintendent of schools to upgrade the facilities to standard, fully approved conditions.

(c) The Bureau of Facility Planning Services and the county superintendent of schools, when considering educational adequacy, shall apply the minimum standards of square feet per space and per pupil as contained in this chapter. In cases where a district board of education or approved private school for the handicapped feels it must have relief from the minimum square feet requirements, such relief shall be determined upon application to the county superintendent of schools. The county superintendent of schools shall make recommendations to the assistant commissioners of the Divisions of Finance and county and Regional Services who jointly may grant relief.

(d) County superintendents of schools will annually monitor the plans of district boards of education or approved private schools for the handicapped to upgrade facilities to State-approved temporary substandard and/or fully approved, standard status.

(e) District boards of education or approved private schools for the handicapped must provide funds in the next immediate annual budget to correct deficiencies about which they are notified by the Bureau of Facility Planning Services on or before October 1 annually. Failure to budget for the correction of deficiencies and to implement the corrections by the next September 1 following the October 1 notice, except as specified in (f) below, shall result in the facility being abandoned.

(f) If a local district board of education cannot afford to correct all identified deficiencies in one budget year because of the total costs associated with large numbers of substandard facilities, the district board's long-range facility plan must include a sub-plan for the correction of the deficiencies. The sub-plan must be updated annually and identify funding sources such as an annual budget or a capital improvement authorization. Inclusion of a sub-plan to correct deficiencies in substandard facilities does not relieve a district board of education from implementing the corrections in the shortest time possible nor extend the use of substandard facilities beyond five years.

(g) In making a determination upon any application for the use of emergency substandard facilities, the following factors shall be taken into account:

1. Accommodations in an existing public school:

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- i. Safety factors:
 - (1) The floors, walls and ceilings of rooms used for instruction shall be free from moisture, peeling paint, plaster and potentially hazardous materials;
 - (2) Each instructional room housing more than 10 pupils and containing more than 300 square feet shall have a door opening directly into the corridor or an exit door opening directly to the exterior;
 - (3) The hardware on doors of any space occupied by pupils shall permit egress from the room at all times. Key-operated locks, thumb-turn locks, hasps or similar types of locking devices shall not be permitted;
 - (4) Doors opening into the corridor, transoms and sidelights shall be glazed with one-quarter inch wire plate glass; however, replacement vision panels may be the same material as originally approved;
 - (5) Every enclosed space shall be protected by an approved automatic fire or smoke detector or a fire suppression device tied into the total public school fire alarm system;
 - (6) Each instructional space shall have an approved exitway;
 - (7) Directions for exiting from the building in case of emergency shall be posted by the exit in each space;
 - (8) Concrete floors in all instructional areas, except shops, shall be covered with a resilient floor covering.
- ii. Ceiling height: The average ceiling height shall be at least eight feet for instructional spaces.
- iii. Heating and ventilation:
 - (1) The room shall be heated to a temperature as established by the local school district;
 - (2) Each instructional room shall have natural light with one or more operative window sash or the room shall have mechanical air supply and exhaust sufficient to provide not less than 10 cfm per person of tempered outside air and 15 cfm per person of recirculated air.
- iv. Toilet facilities and drinking fountains: Toilet facilities shall be available within a reasonable distance, not more than one floor away, and shall be equipped with an exterior operating window sash or mechanical exhaust ventilation. Toilet facilities shall be provided for students in early intervention, pre-kindergarten and kindergarten programs N.J.A.C. 6:22-5.4(h)4.
- v. Lighting: At least 50 footcandles of uniformly distributed artificial illumination shall be provided in all instructional areas.

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vi. Equipment and supplies: Furniture and equipment which is in good condition and suitable for the age and size of the pupils and purposes of instruction shall be provided.

vii. Room size: Each small group instruction room shall provide at least 20 net square feet of open floor area per pupil with no dimension less than 10 feet and total space not less than 150 square feet. Boards of education shall consider the recommendations for the Department of Education in planning for facilities housing handicapped pupils.

viii. Instruction:

(1) Chalkboard, or other appropriate writing surface, and a display board suitable for the instructional program shall be provided;

(2) Sufficient electrical duplex outlets shall be provided to satisfy the program need with not less than one outlet per space.

2. Emergency provisions for accommodation of school pupils in off-site, rented or leased buildings:

i. Required documentation:

(1) A copy of the certificate of occupancy for the facility, indicating the current BOCA Use Group, issued by the local construction official shall be on file in the office of the county superintendent of schools, prior to occupancy; and

(2) A copy of the current annual inspection report from the local fire official and/or health official approving use of the facility shall be on file in the office of the county superintendent of schools prior to occupancy.

ii. Safety factors:

(1) The floors, walls and ceilings of rooms used for instruction shall be free from moisture, peeling paint, plaster and potentially hazardous materials;

(2) Provision shall be made for the storage for pupils' clothing in other than a corridor or exitway;

(3) Each instructional room containing more than 300 square feet shall have a door opening directly into the corridor or an exit door opening directly to the exterior;

(4) The hardware on doors of any space occupied by pupils shall permit egress from the room at all times. Key-operated locks, hasps or similar types of locking devices shall not be permitted;

(5) Concrete floors in all instructional areas, except shops, shall be covered with a slip resistant resilient floor covering.

(6) An off-site, rented or leased building shall be provided with an automatic and manual fire detection system which is interconnected to every space in use installed prior to occupancy by students and staff;

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(7) Adequate and approved units of exit and exitways as required by the Uniform Construction Code shall be provided. The minimum clear width for corridors shall be six feet. Directions for exiting the facility under emergency conditions shall be posted in every instrumental room;

(8) The boiler room interior entrance shall be equipped with a self-closing "C" label fire door lettered "Fire Door Keep Closed."

iii. Ceiling height: The average ceiling height shall be at least eight feet for instructional spaces.

iv. Heating and ventilation:

(1) The room shall be heated to a temperature as established by the local school district;

(2) Each instructional room shall have natural light with one or more operative window sash or the room shall have mechanical air supply and exhaust sufficient to provide not less than 10 cfm per person of outside air and 15 cfm per person of recirculated air. Air conditioning is required for a windowless space;

v. Lighting: At least 50 footcandles of uniformly distributed artificial illumination shall be provided in all instructional areas.

vi. Toilet facilities and drinking fountains:

(1) Toilet facilities and drinking fountains shall meet existing U.C.C. requirements for Use Group as determined by the construction official. Toilet facilities shall be available within a reasonable distance, not more than one floor away, and shall be equipped with an exterior operating window sash or mechanical exhaust ventilation. Toilet facilities shall be provided for students in early intervention, pre-kindergarten and kindergarten programs as per N.J.A.C. 6:22-5.4(h)4.

(2) At least one drinking fountain for each 50 pupils shall be provided. Drinking fountains shall be provided for students in early intervention, pre-kindergarten and kindergarten programs as per N.J.A.C. 6:22-5.4(h)10.

vii. Schoolground and play facilities: The outside recreational play area for students shall include, but not be limited to, sufficient space, equipment and safe surfaces for the building enrollment and program need and be protected from hazards or traffic conditions.

viii. Equipment and supplies: furniture and equipment which is in good condition and suitable for the age and size of the pupils and purposes of instruction shall be provided.

ix. Room size: Each small group instructional space shall provide at least 20 net square feet of open floor area per pupil with no dimension less than 10 feet.

x. Instruction:

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(1) Chalkboard, or other appropriate writing surface, and a display board suitable for the instructional program shall be provided.

(2) Sufficient electrical duplex outlets shall be provided to satisfy the instructional program with not less than one outlet per space.

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TITLE 6 - NEW JERSEY DEPARTMENT OF EDUCATION (NJDOE)
CHAPTER 28 - SPECIAL EDUCATION

SUBCHAPTER 1 GENERAL PROVISIONS

6:28-1.1 General requirements

6:28-1.2 Plans for special education

6:28-1.3 Definitions

.....
"Approved private school for the handicapped" means an incorporated entity approved by the Department of Education according to N.J.A.C. 6:28-7.2 or 7.3 to provide special education and related services to pupils with educational disabilities placed by the district board of education responsible for providing their education.
.....

6:28-1.4 District board of education policies and procedures

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**TITLE 6 - NEW JERSEY DEPARTMENT OF EDUCATION (NJDOE)
CHAPTER 29 - HEALTH, SAFETY AND PHYSICAL EDUCATION**

SUBCHAPTER 1 GENERAL PROVISIONS

6:29-1.1 Purpose

These rules provide standards to district boards of education in their development of policies and procedures to insure the health and safety of students and personnel within the school setting.

6:29-1.2 Health services personnel

6:29-1.3 Policies and procedures

- (a) District boards of education shall adopt written policies and procedures for:
 - 1.
 - 2.
 - 3.
 - 4. Transportation of students determined to be in need of further immediate medical care:
 - 5. Safe and sanitary operation and maintenance of school buildings and grounds according to the provisions established in N.J.A.C. 6:22;
 - 6. Supervision of pupil safety in the school district which shall include:
 - i. Safe storage and use of potentially hazardous materials on school property;
 - ii. Prevention of accidents, panic and fire; and
 - iii. Provision for and maintenance of suitable and safe equipment;
 - 7. Organization of school safety patrols pursuant to N.J.S.A. 18A:42-1, if the decision is made to organize safety patrols:
 - 8.
 - 9.
- (b) All employees shall be informed of such policies and procedures at the beginning of each school year.
- (c)
- (d)
- (e)

6:29-1.4 Records and reports

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6:29-1.5 Health facilities, equipment and supplies

6:29-1.6 Safe drinking water

6:29-1.7 Eye protection in public schools

(a) Each district board of education and approved private school for the handicapped as defined in N.J.A.C. 6:28-1.3 shall require each pupil, staff member and visitor in its schools, including evening adult schools programs, to wear appropriate eye protective devices while participating in any educational activities and programs as defined in N.J.A.C. 6:4-1.2 in which caustic or explosive chemicals or materials, hot liquids or solids, molten materials, welding operations of any type, repairing or servicing of vehicles, heat treatment or tempering of metals, the shaping of solid materials and laser device operation and experimentation or any similar process or activity is engaged in, exposure to which might have a tendency to cause damage to the eyes.

(b) The term "appropriate eye protective device" shall include plain or prescription lenses provided the lenses and other portions of the device meet or exceed the prescribed specifications for the device. Specifications for appropriate eye protection for various activities shall meet or exceed standards described in (b)1 and 2 below. The standards, with all subsequent amendments and supplements, are hereby adopted as rules and incorporated herein by reference.

1. American National Standard Practice for Occupational and Educational Eye and Face Protection, ANSI Z87.1-1989.

2. American National Standard Practice for the Safe Use of Lasers, ANSI Z136.1-1986 and eye protective procedures recommended by the manufacturer of the laser device.

(c) The documents in (b) 1 and 2 above are available for review at the Administrative Code Office, Department of Education, 225 West State Street, CN 500, Trenton, New Jersey 08625-0500. These documents may be purchased from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.

(d) Emergency eye wash fountains or similar devices, capable of a minimum 15 minutes continuous flow of eye wash solution shall be provided in classrooms, shops, laboratories or other areas where pupils or instructors are exposed to caustic materials that can cause damage to the eyes.

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(e) The following types of eye protective devices shall be used to fit the designated activities or processes:

Potential Eye Hazard	Eye Protective Device(s)
1. Caustic or explosive	Goggle, flexible fitting, hooded ventilation; add plastic window face shield for severe exposure;
2. Dust producing operations	Goggle, flexible fitting, hooded ventilation;
3. Electric arc welding	Welding helmet in combination with spectacles with eye cup or semi or flat-fold side shields;
4. Oxy-acetylene welding	Welding goggle, eye cup type with tinted lenses; welding goggle, coverspec type with tinted lenses or tinted plate lens;
5. Hot liquids and gases	Goggle, flexible fitting, hooded ventilation; add plastic window face shield for severe exposure;
6. Hot solids	Clear or tinted goggles or spectacles with side shields;
7. Molten materials	Clear or tinted goggles and plastic or mesh window face shield;
8. Heat treatment or tampering	Clear or tinted goggles or clear or tinted spectacles with side shields;
9. Glare operations	Tinted goggles; tinted spectacles with side shields or welding goggles, eye cup or coverspec type with tinted lenses or tinted plate lenses;
10. Shaping solid materials	Clear goggles, flexible or rigid body; clear spectacles with side shield; add plastic window face shield for severe exposure;
11. Laser device operation or experimentation	Appropriate for specific hazard;
12. Repair or servicing of vehicles	Clear goggles, flexible or rigid body; clear spectacles with side shields;
13. Other potentially eye hazardous processes or activities	Appropriate for specific hazard.

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(f) Each district board of education and approved private school for the handicapped shall establish and implement a specific eye protective policy and program to assure that:

1. No staff member, pupil or visitor shall be subjected to any hazardous environmental condition without appropriate eye protection;
2. The detection of eye hazardous conditions shall be continuous;
3. Eye protective devices shall be inspected regularly and adequately maintained;
4. Shared eye protective devices shall be disinfected between uses by a method prescribed by the local school medical inspector;
5. All eye protective devices shall meet or exceed the appropriate specifications for the various types of devices and suppliers of eye protective devices shall certify, in writing, that the device meet or exceed said specifications;
6. Specific policy and procedures shall be established to deal with individuals who refuse to abide by established eye safety practices and procedures;
7. The use of contact lenses shall be restricted in learning environments which entail exposure to chemical fumes, vapors or splashes, intense heat, molten metals, or highly particulate atmospheres. Contact lenses, when permitted, shall only be worn in conjunction with appropriate eye protective devices and the lens wearer shall be identified for appropriate emergency care in eye hazardous learning environments;
8. All spectacle type eye protective devices shall have side shield of the eye cup, semi or flat-fold type;
9. Pupils, staff members or visitors wearing personal corrective eyewear shall be required to wear cover goggles or similar devices unless it can be certified, by competent authority, that the personal eyewear meets or exceeds standards identified in (b) above.

(g) Each district and each approved private school for the handicapped shall provide annual training and appropriate supplies and equipment to all school personnel responsible for implementing eye safety policies and program. The training shall cover all aspects of eye protection in schools as describe in (a) through (f) above.

SUBCHAPTER 2 School Health Services

6:29-2.1 Student physical examination

6:29-2.2 Dental clinics

6:29-2.3 Testing for tuberculosis infection

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6:29-2.4 Attendance at school by HIV (Human Immunodeficiency Virus) infected children

6:29-2.5 Routine procedures for sanitation and hygiene when handling body fluids

(a) District boards of education shall develop written policies and procedures for sanitation and hygiene when handling blood and body fluids in conformance with N.J.A.C. 8:61-1.1(j) and in conformance with Centers for Disease Control guides, "Recommendations for Prevention of HIV Transmission in Health Care Settings," MMWR Supplement, August 1987, and "Update: Universal Precautions for Prevention of Transmission of Human Immunodeficiency Virus, Hepatitis B Virus, and Other Bloodborne Pathogens in Health-Care Settings" from MMWR, June 24, 1988, Vol. 37, No. 24, pp. 337-382, 387-388. Copies are available through the National AIDS Information Clearing house, P.O. Box 6003, Rockville, MD 20850.

(b) District boards of education shall make available to school personnel, compensated and uncompensated (volunteer), training and appropriate supplies for the handling of blood and body fluids, whether or not pupils or school staff with HIV infection are present. School nurses, custodians and teachers in particular should have knowledge of the proper techniques in the handling and disposal of materials.

SUBCHAPTER 3 PHYSICAL EDUCATION AND ATHLETICS PERSONNEL AND PROCEDURES

SUBCHAPTER 4 COMPREHENSIVE HEALTH EDUCATION

SUBCHAPTER 5 AUDIOMETRIC SCREENING

SUBCHAPTER 6 SUBSTANCE ABUSE

SUBCHAPTER 7 SCHOOL EMPLOYEE PHYSICAL EXAMINATIONS

SUBCHAPTER 8 NURSING SERVICES TO NONPUBLIC SCHOOLS

SUBCHAPTER 9 THE REPORTING OF ALLEGATIONS OF CHILD ABUSE

SUBCHAPTER 10 SAFE AND DRUG FREE SCHOOLS

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**TITLE 6 - NEW JERSEY DEPARTMENT OF EDUCATION (NJDOE)
CHAPTER 43 - VOCATIONAL AND TECHNICAL EDUCATION PROGRAMS
AND STANDARDS**

SUBCHAPTER 1. DEFINITIONS

6:43-1.2 Words and phrases defined

.....

"Vocational education" means organized educational programs offering a sequence of courses which are directly related to the preparation of individuals for paid or unpaid employment in current or emerging occupations in such fields as agriculture/agribusiness, business occupations, health occupations, home economics, marketing occupations, technical occupations, and trade and industrial occupations or for additional preparation for a career in such fields and in other occupations requiring less than a baccalaureate or advanced degree. Vocational education programs include competency-based applied learning which contributes to a pupil's academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, and the occupationally-specific skills necessary for economic independence as a productive and contributing member of society. Vocational student organization activities are an integral part of the programs.

.....

SUBCHAPTER 2 VOCATIONAL AND TECHNICAL EDUCATION

6:43-2.1 Vocational and technical education programs

(c) State and Federal funds for activities in any program of vocational education included in N.J.S.A. 18A:54 shall be withheld from local school districts when it appears to the satisfaction of the Commissioner that any of the following conditions exist:

1.
2. There is exploitation of pupils participating in cooperative vocational education programs, or pupils in cooperative vocational educational programs are illegally employed or employed under conditions which do not safeguard the pupils.
3.
4.

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6:43-2.2 General program requirements

(e) It shall be the duty of every district board of education maintaining courses in any program of vocational education to provide all equipment, mechanical and electrical, now in service or which may hereafter be placed in service in such courses, with guards or other protective devices which shall meet the safety standards specified in N.J.A.C. 6:53.

(j) It shall be the duty of the medical inspector to report immediately to the principal of any school in the district on any pupil whose physical conditions may affect the pupil's safety or health while enrolled in vocational education, or which may prevent the pupil from obtaining regular employment.

SUBCHAPTER 3 VOCATIONAL INSTRUCTION

6:43-3.6 Related training standards for cooperative vocational education programs

(b) Safety instruction shall be taught by the teacher and coordinated with on-the-job training experiences.

6:43-3.8 Training site assignment and supervision standards which apply to all cooperative vocational education programs

(d) Specific training site identification shall be developed with the following provisions:

1.
2. Training sites at which pupils are employed in occupations identified as hazardous by either State or Federal child labor laws or standards, and for which an exemption is granted pupils, shall be registered with the Division of Vocational Education.

(f) Assignments of pupils shall include assurances that:

1.
2. Training is free of pupil exploitation and provides a safe environment for the duration of the pupil's training;
3. Exposure of the pupil to hazardous conditions shall be limited to minimum exposure with proper safeguards;
4.

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5.

6.

(g) The following standards for supervision of pupils on the training site shall apply to all cooperative vocational educational programs:

1.

2. The cooperative vocational education training plan shall provide for planned supervision of the pupil by the teacher during the hours of the pupil's work experiences, to assure that the pupil is free from exploitation and pupil safety is guaranteed.

3. When the pupil is employed in a hazardous occupation governed by State and Federal exemptions to the child labor laws, such work shall be intermittent and for short periods of time, and under the direct and close supervision of a qualified and experienced person.

4.

5.

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TITLE 6 - NEW JERSEY DEPARTMENT OF EDUCATION (NJDOE)
CHAPTER 53
VOCATIONAL EDUCATION SAFETY AND HEALTH STANDARDS

SUBCHAPTER 1. GENERAL PROVISIONS

6:53-1.1 Scope and purpose

(a) The rules in this chapter prescribed and approved by the State Board of Education pursuant to N.J.S.A. 18A:1-1, 18A:4-15, 18A:33-1 et seq., 18A:40-12.1, 18A:40-12.2 and 18A:54-1 et seq. provide safety and health standards to govern the use of tools, machines, equipment, protective devices and hazardous substances in vocational education programs and courses.

(b) These programs and courses include those regulated by the Department of Education and offered in public schools, private vocational schools as defined in N.J.A.C. 6:43-1.2, approved private schools for the handicapped as defined in N.J.A.C. 6:28-1.3 and institutions or agencies receiving either State or Federal vocational education funds administered by the Department of Education.

6:53-1.2 Adoption by reference

(a) The standards contained in N.J.A.C. 12:100, Safety and Health Standards for Public Employees, are adopted as safety and health standards for vocational education programs and courses.

(b) The standards are available for review at the Department of Education, Division of Vocational Education, 225 West State Street, CN 500, Trenton, New Jersey 08625 or at the Office of Administrative Law, Quakerbridge Plaza, Bldg. 9, CN 049, Trenton, New Jersey 08625.

6:53-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicate otherwise.

"Combustible liquid" means any liquid having a flash point at or above 37.8 °C. (100 °F).

"Flammable liquid" means any liquid having a flash point below 37.8 °C. (100 °F).

"Flash point" means the temperature at which a liquid gives off vapor sufficient to form an ignitable mixture with the air near the surface of the liquid.

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"Hazard analysis" means a method of reviewing vocational program equipment, materials, procedures and processes in order to identify potential causes of injury or illness.

"Hazardous substance" means any substance or substance contained in a mixture, included on the workplace hazardous substance list developed by the Department of Health pursuant to N.J.S.A. 34:5A-5, introduced by an employer to be used, studied, produced or otherwise handled at a facility.

"NFPA" means the National Fire Protection Association, Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts 02269.

"Point of operation" means the area on a machine where work is actually performed upon the material being processed.

"Universal precautions" means routine procedures for sanitation and hygiene when handling body fluids including the use of barrier precautions to prevent direct skin contact with blood or any body fluid containing blood.

"Vocational education program and/or course" means any vocational or career orientation program and/or course as defined in N.J.A.C. 6:43-1.2.

SUBCHAPTER 2. STANDARDS IMPLEMENTATION

6:53-2.1 Applicability and implementation of safety and health standards

(a) All tools, machines, equipment, personal protective devices, and hazardous substances used in vocational education programs shall meet the safety and health standards contained in this chapter.

(b) Tools, machines, equipment, personal protective devices and hazardous substances not in compliance with these standards shall be removed from service.

6:53-2.2 Safety and health program

(a) All district boards of education and other institutions and agencies identified in N.J.A.C. 6:53-1.1(b) operating vocational education programs and/or courses shall organize, adopt and implement a vocational education safety and health program. A copy of the program, indicating the district board of education's, the agency's or institution's adoption and approval, shall be retained on file by the agency or institution and made available, upon request, to the Department of Education.

(b) Each district board of education and other institution or agency as specified in N.J.A.C. 6:53-1.1(b) operating vocational education programs and/or courses shall designate a person or persons, other than the chief executive and/or chief administrative officer, who will implement the approved safety and health program.

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- (c) The safety and health program shall contain, as a minimum, the following:
1. Objectives of the safety and health program;
 2. A safety and health hazard analysis for each vocational course and/or program in operation;
 3. A statement of the general policies for the safe and healthy operation of all vocational courses;
 4. Specific statements of practices and precautions required for safe and healthy operation within each separate course;
 5. A plan and procedures for periodic inspections and maintenance of facilities, tools, machines, equipment, personal protective devices, hazardous substances, and for the elimination of potential or identified hazards;
 6. Emergency procedures to be followed in the event of an accident involving a pupil, teacher or any other individual;
 7. Methods to be used for each vocational course to provide safety and health education to pupils including methods for incorporating the results of the hazard analysis;
 8. Procedures and methods to be used to document and assess pupils' knowledge of safe and healthy practices and procedures;
 9. A system, which may include disciplinary action, to ensure that pupils comply with safe and healthy practices; and
 10. Procedures to ensure that all new vocational education staff and pupils receive appropriate initial safety and health program training prior to working or participating in any vocational course and/or program.

6:53-2.3 Reporting requirements

(a) Accidents involving vocational education pupils, staff or others shall be reported to the Commissioner of Education on the accident reporting form supplied by the Department of Education within five working days of the occurrence.

(b) A reportable accident is any accident which requires treatment by a licensed medical doctor that occurs in a vocational education program, either on the school premises or at an approved off-premises training site including cooperative work training site and travel to and from that off-premises training site.

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SUBCHAPTER 3. GENERAL REQUIREMENTS FOR ALL MACHINES

6:53-3.1 Securing machines and equipment

(a) Each machine shall be so constructed, installed and maintained as to be free from excessive vibration.

(b) Arbors and mandrels shall be so constructed, installed and maintained as to have firm and secure bearing and be free from play.

6:53-3.2 Unattended machines and equipment

Machines and equipment requiring the presence of an operator shall not be left unattended while in operation or still in motion.

6:53-3.3 Machine controls and equipment

(a) An electrical power control shall be provided on each machine to make it possible for the operator to cut off the power without leaving the operating position.

(b) On all nonportable motorized equipment and machinery, a magnetic-type switch shall be provided to prevent machines from automatically restarting upon restoration of power after an electrical failure or electric cutoff.

(c) Power controls and operating controls shall be located within easy reach of the operator while the operator is at the regular work location, thereby making it unnecessary to reach over the point of operation to make adjustments.

(d) Each machine operated by electrical power shall be provided with positive means for rendering it inoperative while repairs or tool changes are being made.

(e) Push-type emergency cut-out switches shall be provided at appropriate locations within shops to de-energize the electrical supply to nonportable machinery in accordance with N.J.A.C. 6:22-5.4 (f)1.

(f) Power tools and machines in shops which generate dust shall be provided with dust collecting equipment in accordance with N.J.A.C. 6:22-5.4(b)5.

SUBCHAPTER 4. HAZARDOUS SUBSTANCES

6:53-4.1 Storage of flammable and combustible materials

(a) Flammable and combustible liquids in storage shall be kept in the original closed container supplied by the manufacturer or in approved safety cans.

(b) Flammable or combustible liquids not in storage and ready for use shall be transferred from the original closed containers to approved safety cans. This does not

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apply to finishing or other materials designed to be used from the original closed container, provided the container is resealed immediately after use.

(c) Approved oily waste cans shall be provided for the disposal of materials that have come into contact with flammable or combustible liquids or other materials that can support spontaneous combustion.

(d) Flammable or combustible liquids shall be stored in accordance with the requirements as specified in NFPA 30-1990, "Flammable and Combustible Liquids Code" which with all subsequent amendments and supplements is hereby adopted as a rule.

1. This document is available for review at the Department of Education, Division of Vocational Education, 225 West State Street, CN 500 Trenton, NJ 05625 or at the Office of Administrative Law, Quakerbridge Plaza, Bldg. 9, CN 049, Trenton, New Jersey 08625.

2. This document may be purchased from the National Fire Protection Association, 1 Batterymarch Park, P.O. Box 9101, Quincy, Massachusetts 02269.

6:53-4.2 Use and disposal of hazardous substances

(a) Hazardous substances shall be stored, handled and used in accordance with N.J.A.C. 8:59, Worker and Community Right to Know Act, promulgated pursuant to the authority of the Worker and Community Right to Know Act, P.L.1983, c.315 and N.J.S.A. 34:5A-1 et seq.

1. These rules are available for review at the Department of Education, Division of Vocational Education, 225 West State Street, CN 500, Trenton, New Jersey 08625 or at the Office of Administrative Law, Quakerbridge Plaza, Bldg. 9, CN 049, Trenton, New Jersey 08625.

2. These rules may be requested from the State of New Jersey, Department of Health, John Fitch Plaza, CN 360, Trenton, NJ 08625.

(b) Hazardous waste shall be disposed of in accordance with N.J.A.C. 7:26-1, and 7:26-7 through 12, the Hazardous Waste Regulations, promulgated pursuant to the authority of the Solid Waste Management Act, N.J.S.A. 13:1E-1 et seq.

1. These rules are available for review at the Department of Education, Division of Vocational Education, 225 West State Street, CN 500, Trenton, New Jersey 08625 or at the Office of Administrative Law, Quakerbridge Plaza, Bldg. 9, CN 049, Trenton, New Jersey 08625.

2. The rules may be requested from the State of New Jersey, Department of Environmental Protection, CN 028, Trenton, New Jersey 08625.

SUBCHAPTER 5. PERSONAL PROTECTION

6:53-5.1 Foundry operations

(a) Individuals engaged in the melting of metal to be cast or the pouring of molten metals shall be protected by the wearing of the following:

1. Melter's goggles with shade No. 3 lenses;
2. Full face shield;
3. Fire resistant or fireproof duckbib-type apron that extends below the top of leggings or equivalent;
4. Fire resistant or fireproof duckspring-type leggings;
5. Molder's sleeves;
6. Heat resistant, fireproof gloves; and
7. Closed leather footwear with metatarsal guards, or equivalent.

(b) Crucible shanks used for pouring molten metal from the crucible shall be equipped with a safety lock designed to prevent the crucible from dropping or slipping out of the shank while the molten metal is being poured or transported.

6:53-5.2 Protection of personnel

Individuals using hand and power tools who are exposed to hazards of falling, flying, abrasive and splashing materials or harmful dusts, fumes, mists, vapors or gases shall be provided with the particular personal protective equipment necessary to protect them from potential hazards in accordance with N.J.A.C. 6:3-1.14.

6:53-5.3 Handling of blood and body fluids

All individuals handling blood and body fluids in vocational education programs shall implement universal precautions in accordance with N.J.A.C. 6:29-2.5.

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TITLE 12 - NEW JERSEY DEPARTMENT OF LABOR (NJDOL) CHAPTER 100 - SAFETY AND HEALTH STANDARDS FOR PUBLIC EMPLOYEES

SUBCHAPTER 1. GENERAL PROVISIONS

12:100-1.1 Title and citation

This chapter shall be known and may be cited as N.J.A.C. 12:100, Safety and Health Standards for Public Employees.

12:100-1.2 Authority

These rules are promulgated pursuant to the authority of the New Jersey Public Employees Occupational Safety and Health Act, N.J.S.A. 34:6A-25 et seq.

12:100-1.3 Purpose

The purpose of this chapter is to protect employees in the public sector by providing standards, which are at least as effective as the standards promulgated under Section 6 of the Federal Occupational Safety and Health Act of 1970, 29 USC 651 et seq.

12:100-1.4 Scope

This chapter shall apply to all employers, employees, and agencies subject to N.J.S.A. 34:6A-25 et seq., New Jersey Public Employees Occupational Safety and Health Act.

12:100-1.5 Documents referred to by reference

The availability of standards and publications referred to in this chapter is explained in N.J.A.C. 12:100-7.

12:100-1.6 Validity

Should any section, paragraph, sentence or word of this chapter be declared for any reason to be invalid, such decision shall not affect the remaining portions of this chapter.

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SUBCHAPTER 2. DEFINITIONS

12:100-2.1 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Act" means the New Jersey Public Employees Occupational Safety and Health Act, N.J.S.A. 34:6A-25 et seq.

"Approved" means acceptable to the Commissioner of Labor.

"CFR" means Code of Federal Regulations.

"Commissioner" means the Commissioner of Labor or his designee.

"Division of Workplace Standards" means the Division of Workplace Standards of the New Jersey Department of Labor, CN 054, Trenton, New Jersey 08625-0054.

"Employee" means any public employee, any person holding a position by appointment or employment in the service of an "employer" as that term is used in the Act and shall include any individual whose work has ceased as a consequence of, or in connection with, any administrative or judicial action instituted under the Act; provided, however, that elected officials, members of boards and commissions and managerial executives as defined in the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1 et seq. shall be excluded from the coverage of the Act.

"Employer" means public employer and shall include any person acting directly on behalf of, or with the knowledge and ratification of:

1. The State, or any department, division, bureau, board, council, agency or authority of the State, except any bi-state agency; or
2. Any county, municipality, or any department, division, bureau, board, council, agency or authority of any county or municipality, or of any school district or special purposes district created pursuant to law.

"N.J.A.C." means New Jersey Administrative Code.

"N.J.S.A." means New Jersey Statutes Annotated.

"Serious injury" means any injury which requires treatment beyond first aid.

"Shall" means a mandatory requirement.

SUBCHAPTER 3. ADMINISTRATION

12:100-3.1 Scope of Subchapter

This subchapter shall apply to the administration of the safety and health standards mandated by this chapter.

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12:100-3.2 Compliance

- (a) Every employer shall comply with the provisions of this chapter.
- (b) Every employee shall comply with the provisions of this chapter as they pertain to him or her.
- (c) When an employer has provided personal protection equipment in accordance with this chapter, the employee shall utilize such equipment when the hazard for which the equipment was provided exists.
- (d) Every employer shall provide a reasonable safeguard against any recognized hazard which could cause serious injury or death to the employees.
- (e) Every employer shall take all prudent measures to comply with written recommendations made by the commissioner, the commissioner of community affairs, or the commissioner of health to reduce the risk of exposure to unsafe or unhealthy conditions which have been shown to be detrimental to employee health or safety. this provision shall apply for hazards not specifically covered by a standard referenced in this chapter.

12:100-3.3 Interface of state agencies

- (a) The New Jersey Department of Labor shall inspect under the provisions of this chapter where the provisions relate to safety issues in accordance with N.J.S.A. 34:6A-35.
- (b) The New Jersey Department of Health shall inspect under the provisions of this chapter where the provisions relate to health issues in accordance with N.J.S.A. 34:6A-37.
- (c) The New Jersey Department of Community Affairs shall inspect under the provisions of this chapter where the provisions relate to building safety, structural safety, and fire safety in accordance with N.J.S.A. 34:6A-38.
- (d) The provisions of (a) through (c) above shall not be construed to diminish the primary responsibility of the Commissioner of Labor for administering and enforcing the State plan in accordance with N.J.S.A. 34:6A-29.

SUBCHAPTER 4. GENERAL STANDARDS

12:100-4.1 Scope of subchapter

- (a) This subchapter shall apply to general industry safety and health standards adopted by reference.

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(b) As used in this subchapter, the term employer shall mean public employer and shall not include any private employer and shall not include any private employer performing under this subchapter on behalf of, or with the knowledge and ratification of, a public employer.

12:100-4.2 Adoption by reference

(a) The standards contained in 29 CFR Part 1910, General Industry Standards with the amendments published in the Federal Register through August 10, 1994 with certain exceptions noted in (b) and (c) below are adopted and are incorporated herein by reference as occupational safety and health standards for the protection of public employees engaged in general operations and shall include:

1. Subpart C--General Safety and Health Provisions;
2. Subpart D--Walking-Working Surfaces;
3. Subpart E--Means of Egress;
4. Subpart F--Powered Platforms, Man Lifts, and Vehicle-Mounted Work Platforms;
5. Subpart G--Occupational Health and Environmental Control;
6. Subpart H--Hazardous Materials;
7. Subpart I--Personal Protective Equipment;
8. Subpart J--General Environmental Controls;
9. Subpart K--Medical and First Aid;
10. Subpart L--Fire Protection except that;
 - i. Paragraph 1910.155(a) and Section 1910.156 are not adopted.
11. Subpart M--Compressed Gas and Compressed Air Equipment;
12. Subpart N--Materials Handling Storage;
13. Subpart O--Machinery and Machine Guarding;
14. Subpart P--Hand and Portable Powered Tools and Other Hand-Held Equipment;
15. Subpart Q--Welding, Cutting, and Brazing;
16. Subpart R--Special Industries;
17. Subpart S--Electrical;
18. Subpart T--Commercial Diving Operations; and
19. Subpart Z--Toxic and Hazardous Substances.

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i. The standards contained in subpart Z of 29 CFR Part 1910 are adopted except that the following health standard is not adopted:

(1) 1910.1200. Hazard Communication.

12:100-4.3 Compliance with referenced standards

(a) The standards contained in N.J.A.C. 12:100-4.2 shall apply according to the provisions thereof.

(b) Each employer shall protect his employees by complying with the standards prescribed in N.J.A.C. 12:100-4.2.

SUBCHAPTER 5. CONSTRUCTION STANDARDS

12:100-5.1 Scope of subchapter

This subchapter shall apply to construction safety and health standards adopted by reference.

12:100-5.2 Adoption by reference

(a) The standards contained in 29 CFR Part 1926, Construction Industry Standards with the amendments published in the Federal Register through August 10, 1994, are adopted as occupational safety and health standards for the protection of public employees engaged in construction operations and shall include:

1. Subpart C--General Safety and Health Provisions;
2. Subpart D--Occupational Health and Environmental Controls;
3. Subpart E--Personal Protective and Life Saving Equipment;
4. Subpart F--Fire Protection and Prevention;
5. Subpart G--Signs, Signals, and Barricades;
6. Subpart H--Materials Handling, Storage, Use, and Disposal;
7. Subpart I--Tools--Hand and Power;
8. Subpart J--Welding and Cutting;
9. Subpart K--Electrical;
10. Subpart L--Ladders and Scaffolding;
11. Subpart M--Floors and Wall Openings, and Stairways;
12. Subpart N--Cranes, Derricks, Hoists, Elevators, and Conveyors;
13. Subpart O--Motor Vehicles, Mechanized Equipment, and Marine Operations;
14. Subpart P--Excavations;
15. Subpart Q--Concrete, and Masonry Construction;

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16. Subpart R--Steel Erection;
17. Subpart S--Tunnels and Shafts, Caissons, Cofferdams, and Compressed Air;
18. Subpart T--Demolition;
19. Subpart U--Blasting and Use of Explosives;
20. Subpart V--Power and Transmission and Distribution;
21. Subpart W--Rollover Protective Structures; Overhead Protection; and
22. Appendix--General Industry Standards identified as Applicable to Construction.

(b) Only standards relating to employee safety and health (that is, substantive rules) are adopted by any incorporation by reference as prescribed in (a) above.

12:100-5.3 Compliance with referenced standards

(a) The standards contained in N.J.A.C. 12:100-5.2 shall apply according to the provisions thereof.

(b) Each employer shall protect his employees by complying with the standards prescribed in N.J.A.C. 12:100-5.2.

SUBCHAPTER 6. AGRICULTURAL STANDARDS

12:100-6.1 Scope of Subchapter

This subchapter will apply to agricultural safety and health standards adopted by reference.

12:100-6.2 Adoption by reference

(a) The standards contained in 29 CFR Part 1928, Agriculture with the amendments published in the Federal Register through July 31, 1987, are adopted as occupational safety and health standards and shall include:

1. Subpart B--Applicability of Standards;
2. Subpart C--Roll-Over Protective Structures;
3. Subpart D--Safety for Agricultural Equipment; and
4. Subpart I--Toxic and Hazardous Substances.

(b) Only standards relating to employee safety and health (that is, substantive rules) are adopted by an incorporation by reference as prescribed in (a) above.

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12:100-6.3 Compliance with referenced standards

(a) The standards contained in N.J.A.C. 12:100-6.2 shall apply according to the provisions thereof.

(b) Each employer shall protect his employees by complying with the standards prescribed in N.J.A.C. 12:100-6.2.

SUBCHAPTER 9. WORK IN CONFINED SPACES

12:100-9.1 Scope

(a) The purpose of this subchapter is to set forth procedures to protect employees from the hazards of entry into and work within a confined space.

(b) The subchapter shall be applicable to employers and employees engaged in work within a confined space.

12:100-9.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings unless the context clearly indicates otherwise.

"Acceptable environmental condition" means the limiting conditions of health and safety required to be present before an employee can enter a confined space, such limiting conditions being set by established safety and health standards.

"Attendant" means a trained individual outside the confined space who acts as an observer of the authorized entrants within the confined space keeping in constant, though not necessarily continuous, communication with them, so the attendant can immediately call rescue services if needed.

"Authorized entrant" means an employee who is authorized by the employer or the designee of the employer to enter a confined space.

"Blanking" or "blinding" means the absolute closure of a pipe, line or duct by fastening across it a solid plate or cap capable of withstanding the maximum upstream pressure.

"Ceiling level" means the maximum airborne concentration of a toxic agent to which an employee may be exposed for a specified period of time.

"Combustible dust" means a dust capable of undergoing combustion or of burning when subjected to a source of ignition.

"Confined space" means a space which by design has limited openings for entry and exit, unfavorable natural ventilation which could contain or produce dangerous air contaminants, could contain a hazardous atmosphere and which is not intended for

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continuous employee occupancy. A confined space includes, but is not limited to, a tank, vessel, pit, ventilation duct work, vat, boiler, sewer, or underground utility vault.

"Double block and bleed" means a method used to isolate a confined space from a line, duct or pipe by locking or tagging closed two valves in series with each other, and locking or tagging open to the outside atmosphere a drain or bleed in the line between the two closed valves.

"Employee" means any public employee, any person holding a position by appointment or employment in the service of an employer and shall include any individual whose work has ceased as a consequence of, or in connection with, any administrative or judicial action instituted under the Act; provided, however, that elected officials, members of boards and commissions and managerial executives as defined in the New Jersey Employer-Employee Relations Act, N.J.S.A. 34:13A-1 et seq. shall be excluded from the coverage of the Act.

"Employer" means public employer and shall include any person acting directly on behalf of, or with the knowledge and ratification of:

1. The State, or any department, division, bureau, board, council, agency or authority, of the State, except any bi-state agency; or
2. Any county, municipality, or any department, division, bureau, board, council, agency or authority of any county or municipality, or of any school district or special purposes district or special purposes district created pursuant to law.

"Engulfment" means the surrounding and effective capture of an employee by finely divided particulate matter or a liquid.

"Entry" means any action resulting in any part of the face of the employee breaking the plane of any opening of the confined space and includes any ensuing work inside the confined space.

"Entry permit" means the written authorization of the employer for entry under defined conditions into a confined space for a stated purpose during a specified time.

"Entry permit system" means the system of the employer for assuring safe entry of an employee into and working within a confined space where entry is by permit only.

"Hazardous atmosphere" means an atmosphere presenting a potential for death, disablement, injury, or acute illness from one or more of the following causes.

1. A flammable gas, vapor, or mist in excess of 10 percent of its lower flammable limit;
2. An airborne combustible dust at a concentration that obscures vision at a distance of five feet or less;
3. Less than 19.5 percent or more than 23.5 percent oxygen;

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4. An atmospheric concentration of any toxic or hazardous substance above the permissible exposure limits pursuant to 29 CFR 1910.1000 and N.J.A.C. 12:100-4.2, Air contaminant exposure limits;

5. An atmospheric concentration of any toxic or hazardous substance that is known to the employer to present a safety or acute health hazard; or

6. Any condition immediately dangerous to life or health.

"Hot work permit" means the written authorization of the employer to perform operations that could provide a source of ignition, such as riveting, welding, cutting, burning, or heating, in the confined space, or on the exterior surface of the space.

"Immediately dangerous to life or health" means any condition that poses an immediate threat to life, or which is likely to result in acute or immediately severe health effects.

"Immediate severe health effects" means any acute clinical sign of a serious, exposure-related reaction manifested within 72 hours after exposure.

"Inerting" means rendering the atmosphere of a confined space nonflammable, nonexplosive or otherwise chemically nonreactive by displacing or diluting the original atmosphere with steam or a gas that is nonreactive with the atmosphere in the confined space.

"In-plant rescue team" means a group of two or more employees designated and trained to perform a rescue from a confined space in the workplace.

"Isolation" means the positive prevention of any unwanted form of energy or other agent with a serious potential for hazard from entering the confined space by means, such as blanking, double block and bleed, or lockout and tagout.

"Linebreaking" means the intentional opening in a confined space of a pipe, line or duct that is or has been carrying flammable, corrosive or toxic material, inert gas, or any fluid at a pressure or temperature capable of causing injury.

"Not-permitted condition" means any condition or set of conditions whose hazard potential exceeds the limits authorized by the entry permit.

"Oxygen deficient atmosphere" means an atmosphere containing less than 19.5 percent oxygen by volume.

"Oxygen enriched atmosphere" means an atmosphere containing more than 23.5 percent oxygen by volume.

"Permissible exposure limit" means the maximum eight hour time weighted average of any airborne contaminant to which an employee may be exposed.

"Purging" means the method by which gases, vapors, or other airborne impurities are displaced from a confined space.

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"Qualified person" means a person designated by the employer, in writing, as capable by education or specialized training, or both, of anticipating, recognizing, and evaluating employee exposure to hazardous substances or other unsafe conditions in a confined space and capable of specifying necessary control or protective action both to insure worker safety.

"Retrieval line" means a line or rope secured at one end to a worker with the other end secured to a lifting or other retrieval device, or to an anchor point located outside the entry portal.

12:100-9.3 Confined space program

(a) The employer or individual who is responsible for sending workers into confined spaces shall:

1. Be a qualified person;
2. Establish written procedures for a confined space program;
3. Identify each confined space and inform employees by sign, placard, training program, or other effective means to prevent inadvertent entry;
4. Provide affected employees with the specific training necessary before the employees may be authorized to enter a confined space to perform their specific duties;
5. Assure the availability of protective clothing and other personal protective equipment necessary for safe entry;
6. Assure the ready on-site availability and use of rescue and safety related equipment or services, such as lifting or retrieval devices for use in an emergency;
7. Provide and require the use of retrieval lines for atmospheres immediately dangerous to life or health or where there is a risk of engulfment, to make a rescue possible without entering. There shall be adequate attachment points outside the confined space for tying-off or otherwise securing retrieval lines for all authorized entrants. Where retrieval lines could constitute an entanglement hazard or cannot be used, the employer shall provide an equivalent method for rescue;
8. Determine and evaluate the source of any atmospheric contamination found at the time of entry. The employer shall make appropriate provision in case the severity of the hazard could increase, while employees are in the confined space;
9. Provide and maintain the necessary monitoring devices to evaluate the atmosphere of a confined space;
10. Provide an attendant for each entry permit, unless otherwise permitted by this subchapter;
11. Provide and maintain in proper working order all equipment necessary to make safe entry;

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12. Establish an entry permit system pursuant to N.J.A.C. 12:100-9.4; and
13. Properly train employees to perform atmospheric tests in a confined space in the use and calibration of testing equipment.

12:100-9.4 Entry permit system

(a) The employer shall develop, implement, and use an entry system that includes a written procedure for issuance of a permit to enter a confined space;

(b) The employer shall ensure that the entry permit system developed complies with the following:

1. That the system identifies all confined spaces for employees;
2. That the system determines the actual and potential hazards reasonably expected to be associated with the confined space at the time of entry, so the employer can choose the appropriate means to execute a safe entry;
3. That the system provides for the monitoring of any air contaminant, oxygen deficiency, or flammable vapor that could be associated with the atmosphere in the confined space. This monitoring shall be performed immediately prior to entry and as often as is necessary thereafter;
4. That the system provides for proper calibration of test and monitoring equipment;
5. That the system provides appropriate vehicle and pedestrian guards, barriers or other means to protect the entry party and attendants from local traffic hazards, and protects non-entering employees from hazards arising from the confined space;
6. That the system provides pre-planned emergency evacuation;
7. That the system provides for pre-planned emergency rescue;
8. That the system identifies by job title those persons who must sign the entry permit and the duties of each, including the person in charge of entry;
9. That the system defines the role of the qualified person, if such a person is a part of the employer's entry permit system;
10. That the system provides that any employee who participates in an entry permit system in any capacity has been properly trained; and
11. That the system provides by appropriate testing that the control measures used are effective.

12:100-9.5 Entry Permit

(a) The original of the entry permit shall be kept on file in the office of the employer who issued the entry permit and a copy of the entry permit shall be posted at the entrance to the confined space.

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(b) The entry permit shall authorize entry only by authorized entrants into a specific confined space, for a specific purpose, with entry by specific shifts or work crews, and be valid for a period not to exceed eight hours, except for:

1. Rescue team entry; or
2. Entry authorized by special permit described in N.J.A.C. 12:100-9.13 through 9.17.

(c) The entry permit shall:

1. Describe the hazards known or reasonably expected to be present in the confined space;

2. Specify the minimum acceptable environmental conditions for entry and work in the confined space;

3. Make provision for assuring and certifying that the specified pre-entry requirements are met;

4. Specify by name or job title the person authorizing or in charge of the entry;

5. Name the attendant, unless the permit directs that the attendant function rotates or unless otherwise permitted by this subchapter; and

6. Make provisions for assuring that the in-plant rescue team is available.

(d) The entry permit or a checklist attached to the entry permit shall:

1. Specify isolation, cleaning, purging, inverting, or ventilating to be done prior to entry to remove or control those hazards, or certify that these procedures have been done;

2. Describe any additional hazards that may be reasonably expected to be generated by the activities of the entrants in the confined space and specify any special work procedures to be followed;

3. Specify the personal protective equipment, including respiratory protective clothing, that is necessary for entry or rescue in accordance with N.J.A.C. 12:100-4.2(a)7 Subpart I, Personal Protective Equipment.

4. Specify the atmospheric testing to be done immediately prior to and during the entry period and designate the individual responsible for performing the tests unless otherwise permitted by this section;

5. Where hot work is necessary, authorize such hot work, either as part of the entry itself or by a separate hot work permit which is attached to the entry permit, with its issuance noted on the entry permit; and

6. Specify the type of equipment necessary for rescue purposes that must be readily available. In the case of entry into an atmosphere actually or potentially immediately dangerous to life or health, a positive pressure, self-contained breathing apparatus approved by the National Institute of Occupational Safety and Health, and any other equipment necessary for rescue purposes shall be available at the point of entry.

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12:100-9.6 Training For All Employees

(a) The employer shall assure that all employees who may be exposed to confined spaces in the course of their employment are aware of the appropriate procedures and controls for entry.

(b) The employer shall assure that all employees are aware that unauthorized entry into such spaces is forbidden.

(c) The employer shall make all employees aware that the consequences of unauthorized entry could be fatal, and that their senses are unable to detect and evaluate the severity of atmospheric hazards.

12-100-9.7 Training For Authorized Entrants

(a) The employer shall assure that all authorized entrants and in-plant rescue teams have received training including annual retraining covering the issues of (b) through (f) below prior to entering any confined space. The employer shall retain a written record of the hours and subject matter of such training.

(b) The employer shall assure that every employer, before entering a confined space containing a potentially hazardous environment, understands the nature of the hazard and the need to perform appropriate testing to determine if it is safe to enter.

(c) Employees shall be taught the proper use of all personal protective equipment, including respirators and clothing required for entry or rescue, and the proper use of protective shields and barriers. The employer shall comply with the training provisions of N.J.A.C. 12:100-4.2(a)7 Subpart I, Personal Protective Equipment.

(d) Employees shall be trained to exit from a confined space as rapidly as they can without help (self-rescue), whenever an order to evacuate is given by the attendant, whenever an automatic evacuation alarm is activated or whenever employees recognize the warning signs of exposure to hazardous substances whose presence in the confined space is known or expected.

(e) Employees shall be made aware of the toxic effects or symptoms of exposure to anticipated hazardous materials that may be inhaled or absorbed through the skin. Employees shall be trained to relay an alarm to their attendant and to attempt self-rescue immediately on becoming aware of these effects.

(f) The employer shall train employees in any modifications of normal work practices that are necessary for work in a confined space.

(g) Employees performing atmospheric tests of the confined space shall be properly trained in the use and calibration of testing equipment.

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12:100-9.9 Training For The Attendant

- (a) The person in charge of entry shall be trained to:
 - 1. Proper use of the communications equipment furnished by the employer for communicating with authorized entrants or summoning emergency or rescue service;
 - 2. Authorized procedures for summoning rescue or other emergency service;
 - 3. Recognition of the early behavioral signs of intoxication caused by contaminants or asphyxiants whose presence could be anticipated in the confined space.
 - 4. The requirements of N.J.A.C. 12:100-9.7, if the permit specifies that the function of the attendant will alternate among the authorized entrants; and
 - 5. The requirements of N.J.A.C. 12:100-9.12, if the attendant will have rescue duties that could require entry.

12:100-9.10 Duties Of The Attendant

- (a) The attendant shall;
 - 1. Remain outside the confined space;
 - 2. Maintain continuous communication with all authorized entrants within the confined space by voice, radio, telephone, visual observation, or other equally effective means. If it is not possible for one attendant to maintain communication with each entrant because of the work station of the entrant in the confined space, other arrangements shall be made to assure that the attendant is continuously aware of the location and condition of any entrant who is out of range of direct communication in the confined space because of his work station;
 - 3. Have the authority to order entrants to exit the confined space at the first indication of a not-permitted condition, an unexpected hazard, indication of a toxic reaction, for example, unusual conduct by the entrants, or if a situation occurs outside the confined space that could pose a hazard to the entrants;
 - 4. Know the procedure and have the means to summon immediate emergency assistance if needed;
 - 5. Remain in his or her post and not leave for any reason except self-preservation, unless replaced by an equally qualified individual while entry continues. The attendant shall order the entrants to exit the confined space, if the attendant must leave and there is no replacement; and
 - 6. Warn unauthorized persons not to enter, or to exit immediately if they have entered, and advise the authorized entrants and any others specified by the employer of entry by unauthorized persons.

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12:100-9.11 Duties Of The Person In Charge of Entry

- (a) The person in charge of entry shall;
 - 1. Assure that the pre-entry portions of the permit are completed before any employee enters a confined space;
 - 2. Verify that the necessary pre-entry conditions exist but he or she need not personally conduct the tests;
 - 3. Verify, if an in-plant rescue team is to be used, that the in-plant rescue team is available;
 - 4. Verify that the means for summoning the in-plant rescue team or other emergency assistance are operable; and
 - 5. Terminate the entry upon becoming aware of a not-permitted condition.
- (b) If the person in charge of entry is present throughout the entry period, this person may serve as the attendant.

12:100-9.12 In Plant Rescue Teams

- (a) An in-plant rescue team shall consist of personnel equipped with the personal protective equipment, including respiratory protective equipment, necessary for entry into a confined space, and with the rescue and retrieval equipment the employer has provided for rescue from a confined space.
- (b) The in-plant rescue team shall be trained in accordance with N.J.A.C 12:100-9.7, and in the correct performance of the rescue functions assigned to them using the retrieval and rescue equipment furnished, and in the proper wearing and use of any personal protective equipment, including respirators, that they may need to use during an actual rescue.
- (c) A rescue team shall practice, at least annually, removing simulated victims, such as dummies, mannequins, or real people, through representative openings and portals which have the same size, configuration and accessibility as the confined space from which an actual rescue would be required.
- (d) At least one member of each rescue team shall hold current certification in basic first-aid cardio-pulmonary resuscitation.

12:100-9.13 Special Entry-Permit For Duration Of Job

- (a) The procedures described in this section for the special entry permit for the duration of the job are applicable only for the restricted circumstances and conditions described in (b) below.

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(b) Any entry permit for the duration of the job may be issued and used for the duration of a job provided that:

1. Conditions in the confined space have no known potential for presenting either an immediately dangerous to life or health atmosphere or an engulfing condition;
2. Inspection of the confined space and atmospheric testing, performed at least at the beginning of each work shift, confirms that acceptable conditions for entry exist, and that the periodic atmospheric testing conducted during the course of the work shift, as specified in the permit, also confirms that conditions remain acceptable as work progresses;
3. Only operations processes or procedures that are specifically authorized by the permit, and which could not increase or be the source of, a hazard to employees are used in the confined space;
4. Any process or procedure, such as welding, which is not addressed by the original permit shall not be conducted until the employer either issues a new entry permit or appends a special purpose permit to the original permit; and
5. All employees shall be immediately withdrawn from the confined space and the special permits shall be void if atmosphere testing or inspection indicates that a not-permitted condition exists as a result of special permit activity, or that conditions outside the confined space could pose a hazard to entrants. The employer shall correct the hazardous condition before a new special permit may be issued.

12:100-9.14 Special Entry Permit For One Year Duration

(a) The procedures described in this section for the special entry permit for one year duration are applicable only for the restricted circumstances and conditions described.

(b) Employers whose operations require employees to perform routine repetitive entry into a confined space which has no known potential for presenting an immediately dangerous to life and health atmosphere, and no potential for an engulfment condition, may issue an annual permit instead of a separate permit for each entry.

(c) When work in a confined space is to be done under the terms of an annual permit, the employer shall:

1. Established specific entry procedures that must be followed for entry by annual permit before any employee may be authorized to make such an entry;
2. Train employees in the procedures required for such entries;
3. Assure that employees test the atmosphere prior to entry using an appropriate direct reading instrument, or other device which quantitatively identifies anticipated contaminants, with a remote sampling probe, testing for, in the following order, oxygen concentration, combustible gas, and suspected toxic materials;

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4. Allow, at the employers' discretion entry by one or more employees without an attendant where continuous, positive ventilation, sufficient to maintain the atmosphere within established permit conditions, or appropriate additional atmospheric monitoring is provided; and

5. Revoke the permit whenever any test done pursuant to this section shows that conditions in the confined space have become more hazardous than contemplated under the permit. When this occurs, entry may be made only after an entry permit has been issued in accordance with N.J.A.C. 12:100-9.4.

12:100-9.15 Special Entry Permit For Diked Areas

(a) The procedures described in this section for special entry permits for diked areas are applicable only for the restricted circumstances and conditions described.

(b) Diked areas for storage tanks may be entered using non-attendant entry procedures, without providing ventilation or performing atmosphere tests prior to entry to perform routine operations, provided that:

1. There is no reason to believe there is or may have been any escape of flammable, toxic, or corrosive material into the diked area in sufficient quantity to create an immediately dangerous to life and health atmosphere; and

2. If line breaking is to be done in a diked area, the line breaking procedure of the employer shall be followed.

12:100-9.16 Special Entry For Low Hazard Belowground Space

(a) The procedures described in this section for special entry permits for low hazard belowground space are applicable only for the restricted circumstances and conditions described in (b) below.

(b) A belowground confined space may be entered by an annual or job duration permit as non-attended entry where no risk of engulfment can exist, and where the atmosphere cannot become immediately dangerous to life and health, provided that:

1. The space prior to entry has been ventilated using a mechanically powered ventilator for not less time than is specified in the ventilation nomograph prepared for that ventilator, and that ventilation continues throughout the entry;

2. A combination of appropriate atmospheric testing and mechanically powered ventilation is used; or

3. Without the mechanically powered ventilation, appropriate continuous atmospheric monitoring or frequent atmospheric testing at intervals prescribed by the employer assures that permit conditions are maintained.

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12:100-9.17 Special Entry Permit For A Non-attended Situation

(a) The procedures described in this section for the special entry permit for a non-attended situation are applicable only for the restricted circumstances and conditions described in (b) below.

(b) Routine or repetitive entries into a confined space, which have no known potential for an immediately dangerous to life and health atmosphere or an engulfment situation, and in which all known hazards are positively controlled, are permitted without an attendant provided that:

1. The employer verifies, immediately prior to entry, that no hazard exists;
2. The entrant takes no materials that could cause a hazard into the confined space;
3. The entrant will not perform any work that could cause a hazard in the confined space; and
4. Adherence to the above conditions is assured by established work practices or the use of a checklist, or by both.

(c) A non-attendant situation may be created by a permit valid for a period of up to one year under the conditions described in N.J.A.C. 12:100-9.13.

12:100-9.18 Contractors

(a) An employer who retains contractor services for work in confined space shall inform the contractor of any potential fire, explosion, health or other safety hazards of that confined space which are reasonably ascertainable by that employer.

(b) An employer who retains the services of a contractor shall inform the contractor of the confined space program and other applicable safety rules of the facility. The employer shall inform the contractor of those portions of the emergency action plan, based on N.J.A.C. 12:100-4-2(a) Subpart E, Means of Egress, which are applicable to the employees of the contractor.

SUBCHAPTER 10. STANDARDS FOR FIREFIGHTERS

SUBCHAPTER 11. CONTROL OF HAZARDOUS ENERGY SOURCES

12:100-11.1 Purpose and scope

(a) This subchapter covers servicing or maintenance of machines or equipment in which the unexpected energization, start up, or release of stored energy could cause injury to employees, and establishes minimum performance requirements for the control of such hazardous energy. This subchapter does not address:

1. Construction, agriculture and maritime employment.

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2. Installations under the exclusive control of electric utilities for the purpose of power generation, transmission and distribution, including related equipment for communication or metering;

3. Exposure to electrical hazards from work on, near, or with conductors or equipment in electric utilization installations, which is covered by Subpart S of CFR 29, Part 1910, U.S. Department of Labor Occupational Safety and Health Standards; or

4. Oil and gas well drilling and servicing.

(b) This subchapter is applicable to the control of energy sources during servicing or maintenance of machines or equipment with the following exceptions:

1. Work on plug and cord type electrical equipment, for which exposure to the hazards of unexpected energization, start-up, or the release of stored energy of the equipment is effectively controlled by other measures.

2. Hot tap operations involving transmission and distribution systems for substances such as gas, steam, water, or petroleum products when they are performed on pressurized pipelines, provided that the employer demonstrates that continuity of services is essential, shutdown of the system is impractical, and documented procedures and special equipment are implemented which will provide proven effective protection for employees;

3. Normal production operations; or

4. Servicing or maintenance which takes place during normal production operations, such as lubricating, cleaning, and making minor adjustments and simple tool changes, if it is necessary to perform such servicing or maintenance with the machine or equipment energized, and if such servicing or maintenance is performed using alternative measures which the employer can demonstrate will provide effective protection.

(c) The purpose of this subchapter is to prevent injuries to employees from the unexpected energization, start-up or release of stored energy from machines, equipment, or processes when such employees are engaged in the activities listed in (a) above, and requires employers to establish and implement procedures for affixing the appropriate lockout/tagout devices to energy isolating devices, and to otherwise disable machines, equipment or processes to prevent unexpected energization, start-up or the release of stored energy.

12:100-11.2 Definitions

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

"Affected employee" means a person, other than the authorized employee, whose job includes activities covered by the standards set forth in this subchapter.

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"Authorized employee" means a qualified person to whom the authority and responsibility to perform a specific lockout and/or tagout assignment has been given by the employer.

"Energized" means connected to an energy source (mechanical, electrical, hydraulic, etc.) which has not been isolated.

"Energy isolating device" means a device that physically prevents the transmission or release of energy, including, but not limited to, the following: mutually operated electrical circuit breakers; disconnect switches, manually operated switches; slide gates; slip blinds; line valves; blocks and similar devices used to block or isolated energy. The term does not include push buttons, selector switches, and other control circuit type devices.

"Energy source" means any electrical, mechanical, hydraulic, pneumatic, chemical, thermal, or other electrical source that is capable of causing injury to employees.

"Hot tap" means a procedure used in repair, maintenance and service activities which involves welding a piece of equipment (pipelines, vessels, or tanks) under pressure, in order to install connections or appurtenances. It is commonly used to replace or add sections of pipeline without the interruption of service for air, gas, water, steam, and petrochemical distribution systems.

"Lockout/tagout" means the placement of a lock and a tag on the energy isolating device in accordance with an established procedure, indicating that the energy isolating device or the equipment being controlled shall not be operated until removal of lock and tag.

"Normal production operations" means operations that include those activities which enable the machine or equipment to perform its intended production functions, and which are carried out by employees as a part of the production process, with the machine or equipment energized.

"Qualified person" means a person who can demonstrate by experience or training the ability to recognize potentially hazardous energy and its potential impact on the workplace conditions, and has the knowledge to implement adequate methods and means for the control and isolation of such energy.

"Servicing or maintenance" means functions that include workplace activities such as installing, construction, adjusting, setting up, inspecting and maintaining or repairing machines or equipment.

"Setting up" means any work that must be performed to place a machine or equipment in an operational mode.

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"Tagout device" means a prominent warning device capable of being securely attached to an energy isolating device that identifies the applicer or authority who has control of the energy control procedure, and contains information and/or instructions to prevent the operation of an energy isolating device.

12:100-11.3 General energy control

The employer shall ensure that before an employee performs any activities where the unexpected energization, start-up or release of stored energy could occur and cause injury, all potentially hazardous energy sources shall be isolated, locked/tagged out and otherwise disabled in accordance with the provisions set forth at N.J.A.C. 12:100-11.10.

12:100-11.4 Procedures

(a) Procedures shall be developed, documented and implemented by the employer for the control or potentially hazardous energy when employees are engaged in the activities covered by this section.

(b) The procedure shall clearly and specifically outline the scope, purpose, responsibility, authorization, rules, and techniques to be applied to the control of hazardous energy, and measures to enforce compliance, including, but not limited to, the following:

1. A specific statement as to the intended use of the procedure;
2. Specific procedural steps for the shutting down, isolating, blocking and securing (locks and tags) of energy;
3. Specific procedural steps for the removal and transfer of locks and tags and the responsibility for them; and
4. Specific requirements for testing a system to determine and verify the effectiveness of lockout/tagout and other energy control measures.

12:100-11.5 Protective materials and hardware

(a) Locks, tags, chains, adapter pins, or other hardware shall be provided by the employer for securing or blocking energy sources where necessary under this procedure.

(b) The lockout and tagout devices shall be singularly identified, shall be the only authorized device(s) used for locking out and tagging energy sources, shall not be used for other purposes, and shall meet the following requirements:

1. Durability: the devices shall be capable of withstanding the environment to which they are exposed for the maximum period of time that exposure is expected;
2. Standardized: the devices shall be standardized in at least one of the following criteria: color; shape; size type or format;

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3. Substantial: locks shall be of such a key code complexity that removal by any other means than the regular key would require excessive force or unusual techniques, such as metal cutting tools. Tags and attachment mechanisms shall be of such design that the possibility of accidental removal is minimized; and

4. Identifying: the devices shall include provisions for the identification of the employee(s) applying or authorizing the application of the device.

(c) Tagout devices/danger tags shall warn against hazardous conditions if the equipment is re-energized and shall include the legends: Do Not Start, Do Not Open, Do Not Close, Do Not Energize, or similar language.

12:100-11.6 Periodic inspection

(a) The employer shall conduct periodic inspections at least annually to ensure that the energy control procedures of this standard are being implemented. The inspections shall be:

1. Performed by an authorized employee other than the one implementing the energy control procedures; and

2. Designed to correct any deviations or inadequacies observed.

(b) The employer shall certify that the inspections have been performed. The certification shall identify the machines or equipment inspected and the name of the person performing the inspection.

12:100-11.7 Training and communication

(a) The employer shall provide training to insure that the purpose and functioning of the energy control procedures are understood by employers and that the knowledge and skills required for the safe application and removal of energy controls are available as needed. The training shall include the following:

1. Authorized employees shall receive training in the recognition of applicable hazardous energy sources and in the use of adequate methods and means for energy isolation and control;

2. Affected employees shall be instructed in the purpose and use of the energy control procedures; and

3. All other employees whose work operations are or may be affected by the energy control procedure shall be instructed about the procedure and how it affects their work operations.

(b) Periodic retraining shall be provided by the employer for all authorized and affected employees whenever a periodic inspection pursuant to N.J.A.C. 12:100-11.6 reveals, or whenever the employer has reason to believe, that there are deviations from

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or inadequacies in the energy control procedure. The retraining shall reestablish employee proficiency and introduce new or revised control methods and procedures, as necessary.

(c) The employer shall certify that employee training has been accomplished and is being kept up to date. The certification shall contain the employee's name and dates of training.

12:100-11.8 Energy isolating devices

(a) Energy isolating devices that are used for the control of potentially hazardous energy sources, including valves, shall be marked or labeled to identify the equipment supplied and the type and magnitude of the energy being controlled, unless they are so positioned and arranged that those elements are evident.

1. Valves for machines or equipment shall be permanently marked or labeled; and
2. Valves for pipeline network process operations shall be:
 - i. Permanently marked or labeled; or
 - ii. Temporarily marked or labeled prior to each instance of initiation of work on the line.

(b) Energy isolating devices shall be operated only by authorized employees or under the direct supervision of authorized employees.

12:100-11.9 Notification of employees

Affected employees shall be notified by the employer or authorized employee of the application and removal of lockout and tagout controls whenever such controls directly affect their work activities. Notification shall be given before such controls are applied, and before they are removed from the equipment or process.

12:100-11.10 Application of control

(a) The established procedure for the application of energy control (lockout/tagout) shall cover the following elements and actions and shall be in the following sequence:

1. Machine or equipment shutdown: the machine or equipment shall be turned off or shut down by authorized employees using the appropriate procedures;
2. Machine or equipment isolation: all energy isolating devices that are needed to control the energy involved shall be physically located and operated in such a manner as to isolate the machine or equipment from the energy source(s);
3. Lockout and tagout device application: appropriate and effective lockout and tagout devices shall be affixed to each energy isolating devices and shall be used as follows:

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- i. Lockout devices shall be affixed in a manner that will hold the energy isolating devices in a "safe" or "off" position;
 - ii. Tagout devices shall be affixed in such a manner as will clearly indicate that the operation or movement of energy isolating devices from the "safe" or "off" position is prohibited; and
 - iii. Where a tag cannot be affixed directly to the energy isolating device, the tag shall be located as close as safely possible to the device, in a position that will be immediately obvious to anyone attempting to operate the device.
4. Stored energy: following the application of lockout and tagout devices to energy isolating devices, all potentially hazardous, stored or residual energy shall be relieved, disconnected, restrained and/or otherwise rendered safe.
- i. If there is a possibility of reaccumulation of stored energy to a hazardous level, verification of isolation shall be continued until the activity is completed, or until the possibility of such accumulation no longer exists.
5. Verification of isolation: prior to starting work on equipment or processes that have been locked out and tagged out, an authorized employee shall take the steps necessary to verify that isolation and de-energization of the machine or equipment has been accomplished. The steps shall insure that the lockout and tagout devices are so positioned or located as to isolate and de-energize the equipment or process effectively in accordance with (a)2 and 3 above and that stored energy has been rendered safe in accordance with (a)4 above.

12:100-11.11 Release from control (lockout/tagout)

- (a) Before lockout and tagout devices are removed and energy is restored to the machine or equipment, procedures shall be followed and actions shall be taken by an authorized employee to ensure the following:
1. The work area shall be inspected for removal of nonessential items and to insure that components are operationally intact and that all employees have been safely positioned or removed; and
 2. Lockout and tagout devices shall be removed from each energy isolating device by the employee who applied the device, with the exception that devices may be removed under the direction of an authorized employee under the following conditions, and only where the authorized employees follow specific procedures which have been developed for those conditions:
 - i. When the employee who applied a personal lockout/tagout device is not available to remove the device; and

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ii. Unique operating conditions involving complex systems, where the employer can demonstrate that it is not feasible to do otherwise.

12:100-11.12 Additional requirements

(a) In situations where the energy isolating device(s) is locked and tagged, and there is a need to test or position the machine or equipment, the following sequence of actions shall be implemented:

1. Clear the machine or equipment area in accordance with N.J.A.C. 12:100-11.11(a)1;
2. Clear the control of locks and tags with appropriate procedures in accordance with N.J.A.C. 12:100-11.11(a)2;
3. Energize and proceed with testing or positioning; and
4. De-energize all systems and reapply energy control measures in accordance with (d) below to continue the work.

(b) Whenever outside servicing personnel are to be engaged in activities covered by the scope and application of this subchapter, the plant or facility employer shall inform them of the lockout/tagout procedures used by the facility.

1. The plant or facility employer shall assure that the lockout/tagout procedures used by outside servicing personnel are compatible with existing in-plant procedures.

(c) When lockout and tagout devices are used by a crew, craft, department, or other group, the affected employees shall be afforded a level of protection equivalent to that provided by personal lockout and tagout devices.

1. Group lockout and tagout devices shall be used in accordance with the procedures required by N.J.A.C. 12:100-11.11(a)1.

i. Primary responsibility shall be vested in an authorized employee for a set number of employees working under the protection of a particular group lockout and tagout device;

ii. Provision for the authorized employee to ascertain the exposure status of individual group members with regard to the lockout and tagout of the equipment or process; and

iii. When more than one crew, craft, department, etc., is involved, the responsibility of the overall job-associated lockout/tagout control shall be assigned to an authorized employee designated to coordinate affected work forces and ensure continuity of protection;

(d) Specific procedures shall be implemented during shift or personnel changes to ensure the continuity of lockout and tagout protection in accordance with N.J.A.C. 12:100-11.11(a)1. These procedures shall be developed as follows:

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1. For the orderly transfer of lockout and tagout devices between off-going and oncoming employees which will eliminate exposure to hazards from the unexpected energization, start-up, or the release of stored energy of the equipment or process; and
2. To ensure that the equipment or process is being maintained in a safe condition so as to permit continued work by employees following the transfer of control over lockout and tagout devices.

SUBCHAPTER 12. (RESERVED)

Subchapter 12, Asbestos was repealed, effective August 5, 1996.

SUBCHAPTER 13. INDOOR AIR QUALITY STANDARD

Subchapter 13 was effective March 3, 1997.

12:100-13.1 Scope

This subchapter shall apply to matters relating to indoor air quality in existing buildings occupied by public employees during their regular working hours.

12:100-13.2 Definitions

The following words and terms, when used in this subchapter, have the following meaning unless the context clearly indicates otherwise.

“Air Contaminants” refers to substances contained in the vapors from paint, cleaning chemicals, pesticides, solvents, particulates, outdoor air pollutants and other airborne substances which together may cause material impairment to employees working within the enclosed workplace.

“Building-related illness” describes specific medical conditions of known etiology which can be documented by physical signs and laboratory findings. Such illnesses include sensory irritation when caused by known agents, respiratory allergies, asthma, nosocomial infections, humidifier fever, Legionnaires’ disease, and the signs and symptoms characteristic of exposure to chemical or biologic substances such as carbon monoxide, formaldehyde, pesticides, endotoxins, or mycotoxins.

“Building systems” includes the heating, ventilation and air-conditioning (HVAC) system, the energy management system and all other systems in a facility which may impact indoor air quality.

“Department” means the Department of Health and Senior Services.

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“Designated person” means a person who has been given the responsibility by the employer to take necessary measures to assure compliance with this subchapter.

“Designated smoking area” means an area in a building, where smoking is permitted and which is physically separated from a non-smoking areas and which non-smokers are not required to enter or pass through.

“Employee” means the term as defined at N.J.A.C. 12:100-2.1.

“Employer” means the term as defined at N.J.A.C. 12:100-2.1.

“HVAC system” means the collective components of the heating, ventilation and air-conditioning system including, but not limited to, filters and frames, cooling coil condensate drip pans and drainage piping, outside air dampers and actuators, humidifiers, air distribution ductwork, automatic temperature control, and cooling towers.

“HVAC System Commissioning Report” means a document normally prepared by an architect or engineer that provides verification that the HVAC system is operating in conformity with the design intent.

“Office building” means a building in which administrative and/or clerical activities are conducted. Examples of facilities and/or operations which are not office buildings include schools, repair shops, garages and print shops.

“Renovation and remodeling” means building modification involving activities that include but are not limited to: removal or replacement of walls, roofing, ceilings, floors, carpet, and components such as moldings, cabinets, doors and windows; painting; decorating; demolition; surface refinishing; and removal or cleaning of ventilation ducts.

12:100-13.3 Compliance program

(a) The employer shall identify a designated person who is given the responsibility to assure compliance with this section. The designated person shall assure that at least the following actions are implemented and documented:

1. Establishing and following a preventive maintenance schedule in accordance with the manufacturer’s recommendations or with accepted practice for the HVAC system. Scheduled maintenance of the HVAC system shall include checking and/or changing air filters, checking and/or changing belt, lubrication of equipment parts checking the functioning of motors and confirming that all equipment is in operating order. Damaged or inoperable components shall be replaced or repaired as appropriate. Additionally, and reservoirs or parts of this system with standing water shall be checked visually for microbial growth;
2. Implementing the use of general or local exhaust ventilation where housekeeping and maintenance activities involve use of equipment or products that could reasonably be expected to result in hazardous chemical or particulate exposures, above the

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applicable Permissible Exposure Limit (PEL), as adopted by reference under N.J.A.C. 12:100-4.2, to employees working in other areas of the building or facility.

3. When the carbon dioxide level exceeds 1,000 parts per million (ppm), the employer shall check to make sure the HVAC system is operating as it should. If it is not, the employer shall take necessary steps as outlined in (a) 1 above;

4. When temperatures in office buildings are outside of the range of 68 to 79 degrees Fahrenheit, the employer shall check to make sure the HVAC system is in proper operating order. If it is not, the employer shall take necessary steps as outlined in (a) 1 above;

5. If contamination of the make-up air supply is identified and documented, then the make-up inlets and/or exhaust air outlets shall be relocated or the source of the contamination eliminated. Sources of make-up air contamination may include contaminants from sources such as cooling towers, sanitary vents, vehicular exhausts from parking garages, loading docks, and street traffic;

6. Assuring that buildings without mechanical ventilation are maintained so that windows, doors, vents, stacks and other portals designed or used for natural ventilation are in operable condition; and

7. Promptly investigating all employee complaints of signs or symptoms that may be associated with building-related illness.

12:100-13.4 Controls of specific contaminant sources

(a) In workplaces where the employer has established designated smoking areas, the following shall apply:

1. Smoking shall be permitted only in such areas;

2. The employer shall assure that designated smoking areas are enclosed, exhausted directly to the outside, and are maintained under negative pressure (with respect to surrounding spaces) sufficient to contain tobacco smoke within the designated area;

3. The employer shall assure that cleaning and maintenance work in designated smoking areas is conducted only when no smoking is taking place;

4. The employer shall assure that employees are not required to enter designated smoking areas in the performance of normal work activities;

5. The employer shall post signs clearly indicating areas that are designated smoking areas;

6. The employer shall post signs that will clearly inform anyone entering the workplace that smoking is restricted to designated areas; and

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7. The employer shall prohibit smoking within designated smoking areas during any period that the exhaust ventilation system servicing that area is not properly operating.

(b) Regarding other indoor air contaminants, when general ventilation is inadequate to control air contaminants emitted from point sources within work spaces to below the applicable PEL, as adopted by reference under N.J.A.C. 12:100-4.2, the employer shall implement other control measures such as local source capture exhaust ventilation or substitution.

(c) The employer shall control microbial contamination in the building by promptly repairing water leaks that can promote growth of biologic agents, or shall control microbial contamination in the building by promptly drying, replacing, removing, or cleaning damp or wet materials. The employer shall take measures to remove visible microbial contamination in ductwork, humidifiers, other HVAC and building system components, or on building surfaces, such as carpeting and ceiling tiles, when found during regular or emergency maintenance activities or during visual inspection.

12:100-13.5 Air quality during renovation and remodeling

(a) Renovation work and/or new construction that results in the diffusion of dust, stone and other small particles, toxic gases or other harmful substances in quantities hazardous to health shall be safeguarded by means of local ventilation or other protective devices to ensure the safety of employees. Renovation areas in occupied buildings shall be isolated and dust and debris shall be confined to the renovation or construction area.

(b) Before use of paints, adhesives, sealants, solvents, or installation of insulation, particle board, plywood, floor coverings, carpet backing, textiles, or other materials in the course of renovation or construction, the employer shall check product labels or seek and obtain information from the manufacturers of those products on whether or not they contain volatile organic compounds such as solvents, formaldehyde or isocyanates that could be emitted during regular use. This information shall be used to select products and to determine necessary measures to be taken to comply with this section.

(c) The employer shall notify employees at least 24 hours in advance, or promptly in emergency situations, of work to be performed on the building that may introduce air contaminants into their work area.

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12:100-13.6 Recordkeeping

- (a) The maintenance schedule shall be updated to show all maintenance performed on the building systems. The schedule shall include the date that such maintenance was performed and the name of the person or company performing the work.
- (b) The records required to be maintained by this section shall be retained for at least three years and be available on request to employees and employee representatives and Department representatives for examination and copying.

12:100-13.7 Employer's response to a signed complaint

- (a) Within 15 working days of receipt of the complaint notification from the Department, the employer shall respond in writing to the Department. The response may include any combination of the following:
 - 1. A statement that the complaint is unfounded;
 - 2. A description of any remedial action already taken;
 - 3. An outline of any remedial measures planned but not yet taken with a timetable for completion; and/or
 - 4. A statement that a study of the problem, with a timetable for completion of the study, has been initiated.
- (b) Where remedial measures are planned or a study initiated, they shall be completed as soon as feasible. The employer shall submit, to the Department, a written report describing the remedial measures implemented and/or a copy of a study's report within 15 working days of completion.
- (c) Permits for remedial work shall be obtained as required by N.J.A.C. 5:23 (the New Jersey Uniform Construction Code). All work requiring a permit shall be performed in compliance with N.J.A.C. 5:23.

12:100-13.8 Indoor air quality (IAQ) compliance documents

- (a) In response to an employee complaint to the Department, the employer shall provide any of the following documents, if available, and requested by the Department:
 - 1. As-built construction documents;
 - 2. HVAC system commissioning reports;
 - 3. HVAC systems testing, adjusting and balancing reports;
 - 4. Operations and maintenance manuals;
 - 5. Water treatment logs; and
 - 6. Operator training materials.

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NJ LABOR LAW ABSTRACT

NEW JERSEY CHILD LABOR LAW ABSTRACT
NEW JERSEY ADMINISTRATIVE CODE 12:58
34:2-21.1 TO 34:2-21.64 N.J.S.A. AND RULES AND REGULATIONS
EXCERPTED FROM FORM MW-129 (R-4-97)

KIND OF EMPLOYMENT

Theatrical: Professional employment in a theatrical production, including stage, motion pictures, and television performance and rehearsals.

Minimum Age

- ! **None** - Minors under 16 must be accompanied at all times by an adult who is a parent, guardian, or representative of employer.

Hours of Work, ^{1,3,5}

- ! **Under 16:** Not more than 2 shows or productions⁴ daily or 8 weekly, 5 hours daily, 24 hours weekly, 6 days a week. (Includes rehearsal time. Combined hours of school and work not to exceed 8 hours daily.)
- ! **16-18 years old:** 8 hours daily;^{1,3,6,7} 40 hours weekly; 6 days a week

Prohibited Hours:

- ! **Under 16** - before 7 A.M.; After 11:30 P.M.
- ! **16-18 years old** - before 6 A.M.; After 11:30 P.M.

Certificate or Permit Required²

- ! **Under 16** - Special Theatrical Permit
- ! **16-18 years old** - Employment Certificate

APPENDIX E: SELECTED REGULATIONS
NJ LABOR LAW ABSTRACT

Agriculture: No restriction on work performed outside school in connection with minor's own home and directly for the minor's parent or legal guardian.

Minimum Age

! **12 years old** - Outside school hours

! **16 years old** - During school hours

Hours of Work, ^{1,3,5}

! **12 years old** - 10 hours daily; 6 days a week

Prohibited Hours:

! **None**

Certificate or Permit Required²

! **12-16 years old only** - Special Agricultural Permit

Newspaper Carriers: Minors who deliver, solicit, sell and collect for newspapers outside of school hours on residential routes.

Minimum Age

! **11 years old**

Hours of Work, ^{1,3,5}

! Combined hours of school and work not to exceed 8 hours daily, 40 hours weekly, 7 days.

APPENDIX E: SELECTED REGULATIONS
NJ LABOR LAW ABSTRACT

Prohibited Hours:

- ! **11-14 years old** - Before 6 A.M.; After 7 P.M.
- ! **14-18 years old** - Before 5:30 A.M.; After 8 P.M.

Certificate or Permit Required²

- ! **11-18 years old** - N.J. publishers may issue special Newspaper Carrier Permit or local issuing officer may issue: Special Permit - 11-16 years old) or Employment Certificate (16-18 years old).

Street Trades: Minors who sell, offer for sale, solicit for, collect for, display, or distribute any articles, goods, merchandise, commercial service, posters, circulars, newspapers, or magazines or in blacking shoes on any street or other public place or from house to house.

Minimum Age

- ! **14 years old** - Outside school hours
- ! **16 years old** - During school hours

Hours of Work,^{1,3,5}

- ! **14 years old** - 8 hours daily; 40 hours weekly; 6 days a week
- ! **16 years old** - (Minors under 16 limited to 3 hours per day, 18 hours per day, 18 hours per week, when school is in session.)

Prohibited Hours:

- ! **14-16 years old** - Before 7 A.M.; After 7 P.M.
- ! **16-18 years old** - Before 6 A.M.; After 11 P.M.

APPENDIX E: SELECTED REGULATIONS
NJ LABOR LAW ABSTRACT

Certificate or Permit Required²

- ! Special Street Trades Permit **or** Employment Certificate

General Employment: Includes mercantile establishments, golf caddying, private bowling alleys, offices, gas stations, garages, and other places or means of gainful occupations unless otherwise specified.

Minimum Age

- ! **14 years old** - Outside school hours

- ! **16 years old** - During school hours

Hours of Work,^{1,3,5}

- ! **14 years old** - 8 hours daily; 40 hours weekly; 6 days a week

- ! **16 years old** - (Minors under 16 limited to 3 hours per day, 18 hours per day, 18 hours per week, when school is in session.)

Prohibited Hours:

- ! **14-16 years old** - Before 7 A.M.; After 7 P.M.

- ! **16-18 years old** - Before 6 A.M.; After 11 P.M. (Except **After Midnight:** 1. School vacation season. 2. Days not preceding a school day with special written permission of parent or guardian.)

Certificate or Permit Required²

- ! Employment Certificate

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NJ LABOR LAW ABSTRACT

Restaurant and Seasonal Amusement Occupations: Same as for **General Employment** except that minors at least 16 years of age may be employed **after midnight** during regular school vacation season providing work began before 11 P.M. of the previous day, or on work days which do not begin on a school day, with special written permission from parent or guardian. May **not** be employed after 3 A.M. or before 6 A.M. of a day before a school day.

Public Bowling Alleys: Same as for **General Employment** except that minors at least 16 years of age may be employed as pinsetters, lane attendants, or busboys until 11:30 P.M. but if it is during the school term the minor must have a **special permit**.

Domestic Services in Private Homes: No restriction on work performed outside school in connection with minor's own home and directly for the minor's parent or legal guardian.

Minimum Age

! **14 years old** - Outside school hours

! **16 years old** - During school hours

Hours of Work, ^{1,3,5}

! **No Restrictions** - (Except minor under 16 limited to 3 hours per day, 18 hours per week, when school is in session)

Prohibited Hours:

! **None**

Certificate or Permit Required²

! **Employment Certificate**

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NJ LABOR LAW ABSTRACT

Messengers for Communications Companies Under Supervision and Control of F.C.C.

Minimum Age

! 14 years old - Outside school hours

! 16 years old - During school hours

Hours of Work,^{1,3,5}

! No Restrictions

Prohibited Hours:

! None

Certificate or Permit Required²

! Employment Certificate

Factory

Minimum Age

! 16 years old

Hours of Work,^{1,3,5}

! 8 hours daily; 40 hours weekly; 6 days a week

Prohibited Hours:

! Before 6 A.M. After 10 P.M. during school vacation. After 11 P.M. when school is in session.

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NJ LABOR LAW ABSTRACT

Certificate or Permit Required²

! Employment Certificate

Footnotes

¹. A minor who is at least 17 years of age and a graduate of a vocational school approved by the Commissioner of Education may engage in those pursuits in which the minor majored in said vocational school during those hours permitted for persons 18 years of age and over, provided an employment certificate is issued and accompanied by the minor's diploma or a certified copy thereof.

². No certificate or permit required for minors at least 14 years of age employed when schools in the minor's district are not in session at agricultural fairs, horse, dog, or farm shows the duration of which do not exceed 10 days. No certificate required for minors 16 and older during school vacation for first 14 days of employment in food service, restaurant, or retail operations.

³. Does not apply to employment of a minor between 16 and 18 years of age during the months of June, July, August, or September by a summer resident camp, conference or retreat operated by a nonprofit or religious corporation or association, unless the employment is primarily general maintenance work or food service activities.

⁴. Where the professional employment is reasonably separable into discrete shows or productions.

⁵. In **theatrical** employment the combined time spent on a set or on call and performance time shall not exceed a total of eight hours in any one day.

⁶. In certain cases of **theatrical** employment the commissioner has the authority to amend the hours of the day during which a minor may work but not the total hours.

⁷. In **General Employment** 14- and 15-year old minors may work until 9 P.M. with written permission of parent or guardian during period of time beginning on last day of minor's school year and ending on Labor Day.

PUNISHMENT FOR VIOLATIONS OF CHILD LABOR LAW

Whoever employs or permits or suffers any minor to be employed or to work in violation of this act, or of any order or ruling issued under the provisions of this act, or obstructs the Department of Labor, its officers or agents, or any other person authorized to inspect places of employment under this act, and whoever, having under his control or custody any minor, permits or suffers him to be employed or to work in violation of this act, shall be guilty of an offense. If a defendant acts knowingly, an offense under this section shall be a crime of the fourth degree. Otherwise it shall be a disorderly persons offense and the defendant shall be a disorderly persons offense and the defendant shall, upon conviction for a violation, be punished by a fine of not less

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than \$100 nor more than \$1,000. Each day during which any violation of this act continues shall constitute a separate and distinct offense, and the employment of any minor in violation of the act shall with respect to each minor so employed, constitute a separate and distinct offense.

As an alternative to or in addition to any other sanctions provided by law for violations of P.L. 1940, c. 153 (C.34:2-21.1 et seq.), when the Commissioner of Labor finds that an individual has violated that act, the commissioner is authorized to assess and collect administrative penalties, up to a maximum of 250 for a first violation and up to a maximum of \$500 for each subsequent violation, specified in a schedule of penalties to be promulgated as a rule or regulation by the commissioner in accordance with the “Administrative Procedure Act,” P.L. 1968, c.410 (C.52:14B-1 et seq.). When determining the amount of the penalty imposed because of a violation, the commissioner shall consider factors which include the history of previous violations by the employer, the seriousness of the violation, the good faith of the employer, and the size of the employer’s business. No administrative penalty shall be leveled pursuant to this section unless the Commissioner of Labor provides the alleged violator with notification of the violation and of the amount of the penalty by certified mail and an opportunity to request a hearing before the commissioner or his designee within 15 days following the receipt of the notice. If a hearing is requested, the commissioner shall issue a final order upon such hearing and a finding that a violation has occurred. If no hearing is requested, the notice shall become a final order upon expiration of the 15 day period. Payment of the penalty is due when a final order is issued or when the notice becomes a final order. Any penalty imposed pursuant to this section may be recovered with costs in a summary proceeding commenced by the commissioner pursuant to “the penalty enforcement law” (N.J.S. 2A:58-1 et seq.).

GENERAL INFORMATION

Minors under 18 years of age must receive a 30-minute meal period after 5 consecutive hours of work.

Minors under 16 years of age may not be employed during the hours they are required to attend school.

Minors who are gainfully employed must have “working papers.” These are secured from the issuing officer of the school district where a minor resides. A minor must apply in person.

Read working papers carefully. They contain information that is important to you. Papers are valid only for the period of time and conditions stated thereon.

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NJ LABOR LAW ABSTRACT

An age certificate may be required by an employer of a minor who is between the ages of 18 and 21. This certificate is obtained from the issuing officer and protects the employer against the possibility of age misrepresentation.

RECORDS REQUIREMENTS

For all minors under the age of 18, except those engaged in domestic service in private homes, and in agricultural pursuits, and for those minors between 16 and 18 years of age employed during the months of June, July, August or September by a summer resident camp, conference or retreat operated by a nonprofit or religious corporation or association.

Name, address, date of birth, hours of beginning and ending daily work periods and meal periods, number of hours worked each day, and wages paid to each minor.

For Newspaper Carriers: Name, address, date of birth, date he or she commenced and ceased delivering newspapers, number of newspapers sold, and a general description of the area of the route served.

PROHIBITED OCCUPATIONS

Nothing in this list applies to work done by pupils in public or private schools under supervision and instruction of officers or teachers, or to a minor who is at least 17 years of age employed in the type of work in which the minor majored under the conditions of the special vocational school graduate permit. The Department of Education, however, does limit the prohibited occupations which minors in these programs may perform. Employers should check with the coordinator of each program to determine these prohibitions.

No minor under 16 years of age shall be employed, permitted, or suffered to work in, about, or in connection with power-driven machinery.

Power-driven machinery includes, but is not limited to, the following:

- ! Conveyors and related equipment;
- ! Power lawn mowers; and
- ! Power woodworking and metal working tools.

Power-driven machinery shall not include:

- ! Cash register conveyor belt in a supermarket or retail establishment for minors at least 15 years of age working as cashiers or baggers;
- ! Standard office type machines;

APPENDIX E: SELECTED REGULATIONS
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- ! Standard domestic type machines or appliances when used in domestic or business establishments;
- ! Agricultural machines when used on farms such as standard type poultry feeders, egg washers, egg coolers, and milking machines; and
- ! An attended or unattended standard type passenger elevator.

No minor under 18 YEARS of age shall be employed, suffered, or permitted to work in, about, or in connection with the following:

- ! The manufacture or packing of paints, colors, white lead, or red lead;
- ! The handling of dangerous or poisonous acids or dyes; injurious quantities of toxic or noxious dust, gases, vapors or fumes;
- ! Work involving exposure to benzol or any benzol compound which is volatile or which can penetrate the skin;
- ! The manufacture, transportation, or use of explosives or highly inflammable substances;

The wording "the manufacture, transportation or use of explosives or highly flammable substances" as used in the prohibited occupations section of the Child Labor Act does not include the filling of the gasoline tanks of gasoline motor driven vehicles by use of a hose which is a part of the type of automatic or manual powered pumping equipment commonly used for that purpose in gasoline service stations.

This interpretation does not in any way affect any prohibition contained in the Child Labor Law concerning power-driven or hazardous machinery or hazardous occupations.

- ! Oiling, wiping, or cleaning machinery in motion or assisting therein;
- ! Operation or helping in the operation of power-driven woodworking machinery; provided that apprentices operating under conditions of bona fide apprenticeship may operate such machines under competent instruction and supervision;
- ! Grinding, abrasive, polishing or buffing machines, provided that apprentices operating under conditions of bona fide apprenticeship may grind their own tools;
- ! Punch presses or stamping machines if the clearance between the ram and the die or the stripper exceeds one-fourth inch;

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- ! Cutting machines having a guillotine action;
- ! Corrugating, crimping, or embossing machines;
- ! Paper lace machines;
- ! Dough brakes or mixing machines in bakeries or cracker machinery;
- ! Calendar rolls or mixing rolls in rubber manufacturing;
- ! Centrifugal extractors or mangles in laundries or dry cleaning establishments;
- ! Ore reduction works, smelters, hot rolling mills, furnaces, foundries, forging shops, or any other place in which the hating, melting, or heat treatment of metals is carried on;
- ! Mines or quarries;
- ! Steam boilers carrying a pressure in excess of fifteen pounds;
- ! Construction work;

Construction work shall mean the erection, alteration, repair, renovation, demolition or removal of any building or structure; the excavation, filling and grading of sites; the excavation, repair or paving of roads and highways; and any function performed within 30 feet of the above operations. Construction work shall not mean the repair or painting of fences, buildings and structures not exceeding twelve feet in height.

- ! Fabrication or assembly of ships;
- ! Operation or repair of elevators or other hoisting apparatus;
- ! Any establishment where alcoholic liquors are distilled, rectified, compounded, brewed, manufactured, bottled, or sold for consumption on the premises; (**EXCEPT**, minors at least 16 years of age may be employed as pinsetters, lane attendants, or busboys in **Public bowling alleys**, and in restaurants or in the executive offices, maintenance departments, or pool or beach areas of a hotel, motel, or guesthouse, but not in the preparation, sale or serving of alcoholic beverages, nor in the preparation of photographs, nor in any dancing or theatrical exhibition or performance which is not part of a theatrical production where alcoholic beverages are sold on the premises, while so employed; and minors at least 14 years of age may be employed as golf caddies and pool attendants);

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- ! Pool or billiard rooms;
- ! The transportation of payrolls other than within the premises of the employer;
- ! Corn pickers, power hay balers, power field choppers, including work in or on same;
- ! A junk or scrape metal yard (which is defined as "any place where old iron, metal, paper, cordage, and other refuse may be collected and deposited or both and sold or may be treated so as to be again used in some form or discarded or where automobiles or machines are demolished for the purpose of salvaging of metal or parts");
- ! Any place or condition operated or maintained for immoral purposes or a disorderly house;
- ! The fueling of aircraft, either commercial or private;
- ! Demolition of buildings, ships, or heavy machinery;
- ! Corrosive material;
- ! Compactors;
- ! Carcinogenic substances;
- ! Circular saws, band saws, guillotine shears;
- ! Indecent or immoral exposure;
- ! Posing nude or without generally-accepted attire;
- ! Work in video stores where X-rated movies are rented or sold;
- ! Pesticides;
- ! Radioactive substances and ionizing radiation;
- ! Toxic or hazardous substances;
- ! Most occupations in slaughtering, meat packing, processing, or rendering, including the operations of slicing machines used in delicatessens and restaurants for cutting or slicing any food product;

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- ! The service of single-piece or multi-piece rimwheels; and
- ! The service of beverages out of any bar area, including, but not limited to, outside bars at pools or other recreational facilities.

PROHIBITIONS - ACTORS AND PERFORMERS

- ! Appearing as a rope or wire walker or rider, gymnast, wrestler, boxer, contortionist, acrobat, rider of a horse or other animal unless the minor is trained to safety ride such horse or animal or rider of any vehicle other than that generally used by a minor of the same age.
- ! Appearing in any illegal, indecent, or immoral exhibition, practice, or theatrical production.
- ! Any practice, exhibition or theatrical production dangerous to the life, limb, health or morals of a minor.
- ! Appearance or exhibition of any physically deformed or mentally deficient minor.

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